



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
January 23, 2013

Tom Baker Meeting Room 5:00 p.m. City-County Building

Item No. Page

MINUTES

- 1. Consider the approval of the minutes of the December 19, 2012 meeting of the Bismarck Planning & Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for a public hearing.

- 2. Edgewood Village 7th Addition (JT)
a. Zoning Change (RR, RM15, RM30 & RT to R5, RM15, RM20, RM30, RT, CG & P)
Staff recommendation: schedule a hearing
b. Preliminary Plat
Staff recommendation: tentative approval
3. Meadow Village Addition (JW)
a. Zoning Change (A to R10, RM30 & P)
Staff recommendation: schedule a hearing
b. Fringe Area Road Master Plan Amendment
Staff recommendation: schedule a hearing
c. Preliminary Plat
Staff recommendation: tentative approval

Bismarck-Burleigh County Community Development Department
221 North 5th Street • PO Box 5503 • Bismarck, ND 58506-5503 • TDD: 711 • www.bismarck.org



<b>4. Sunrise Town Centre Addition (JW)</b>	
a. Zoning Change (CA & MA to CA & CG).....	29
<i>Staff recommendation: schedule a hearing</i>	<input type="checkbox"/> schedule a hearing <input type="checkbox"/> table <input type="checkbox"/> deny
b. Preliminary Plat .....	33
<i>Staff recommendation: tentative approval</i>	<input type="checkbox"/> tentative approval <input type="checkbox"/> table <input type="checkbox"/> deny
<b>5. Revolutionary Addition (JT)</b>	
a. Zoning Change (RR & MA to CG & MA).....	37
<i>Staff recommendation: schedule a hearing</i>	<input type="checkbox"/> schedule a hearing <input type="checkbox"/> table <input type="checkbox"/> deny
b. Preliminary Plat .....	41
<i>Staff recommendation: tentative approval</i>	<input type="checkbox"/> tentative approval <input type="checkbox"/> table <input type="checkbox"/> deny
<b>6. Century Centennial Addition – Preliminary Plat (JT).</b>	45
<i>Staff recommendation: tentative approval</i>	<input type="checkbox"/> tentative approval <input type="checkbox"/> table <input type="checkbox"/> deny
<b>7. South Meadows Addition (Klee)</b>	
a. Zoning Change (A to R5, R10 & RM30).....	49
<i>Staff recommendation: schedule a hearing</i>	<input type="checkbox"/> schedule a hearing <input type="checkbox"/> table <input type="checkbox"/> deny
b. Preliminary Plat .....	53
<i>Staff recommendation: tentative approval</i>	<input type="checkbox"/> tentative approval <input type="checkbox"/> table <input type="checkbox"/> deny
<b>8. Kilber North 2<sup>nd</sup> Addition (Klee)</b>	
a. Zoning Change (A to R5, R10, RM30 & RT).....	57
<i>Staff recommendation: schedule a hearing</i>	<input type="checkbox"/> schedule a hearing <input type="checkbox"/> table <input type="checkbox"/> deny
b. Preliminary Plat .....	61
<i>Staff recommendation: tentative approval</i>	<input type="checkbox"/> tentative approval <input type="checkbox"/> table <input type="checkbox"/> deny
<b>9. Day Care Provisions – Zoning Ordinance Text Amendment (Klee).</b>	67
<i>Staff recommendation: schedule a hearing</i>	<input type="checkbox"/> schedule a hearing <input type="checkbox"/> table <input type="checkbox"/> deny

## REGULAR AGENDA

### FINAL CONSIDERATION/PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission.

- 10. BREI Estates First Addition (JT)**
- a. Annexation .....83  
*Staff recommendation: approve*      approve    continue    table    deny
- b. Zoning Change (A to R10, RM10, RM15, RM30 & RT).....87  
*Staff recommendation: approve*      approve    continue    table    deny
- c. Final Plat.....91  
*Staff recommendation: approve*      approve    continue    table    deny
- 11. Koch Crest Addition (JT)**
- a. Zoning Change (A & CG to RM30 & CG).....99  
*Staff recommendation: approve*      approve    continue    table    deny
- b. Final Plat .....103  
*Staff recommendation: approve*      approve    continue    table    deny
- 12. England Acres Subdivision (JW)**
- a. Zoning Change (A & RR to RR).....109  
*Staff recommendation: continue*      approve    continue    table    deny
- b. Final Plat .....113  
*Staff recommendation: continue*      approve    continue    table    deny
- 13. Lots 2-4, Block 10, Sonnet Heights Subdivision – Zoning Change (R5 to R10) (JT) ... 117**  
*Staff recommendation: approve*      approve    continue    table    deny

## OTHER BUSINESS

- 14. Other**

## ADJOURNMENT

- 15. Adjourn.** The next regular meeting date is scheduled for Wednesday, February 27, 2013.

Enclosures: Meeting Minutes of December 19, 2012  
Major Building Permits Report for December 2012  
Building Permit Activity Report for December 2012

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> Edgewood Village Seventh Addition – Zoning Change (RR, RM15, RM30 & RT to P, R5, R10, RM20, RM30, and CG)	
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013
<b>Owner(s):</b> Bismarck Land Company, LLC Edgewood Village Development Group, LLC	<b>Engineer:</b> AE2S
<b>Reason for Request:</b> To plat, zone and annex property in conjunction with the seventh phase of the Edgewood Village residential development and a future public high school.	
<b>Location:</b> In northeast Bismarck, along the south side of 43 <sup>rd</sup> Avenue NE and the west side of Centennial Road (Auditor's Lots A, B and C and Lots 1-3, Block 4, Lot 1, Block 5, Lot 1, Block 6 of Edgewood Village 6 <sup>th</sup> Addition of the N½ of Section 23, T139N-R80W/Hay Creek Township).	
<b>Project Size:</b> 258.45 acres	<b>Number of Lots:</b> 26 lots in 7 blocks
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Vacant/Undeveloped	<b>Land Use:</b> single and multi-family residential, general commercial, a public high school and public open space
<b>Zoning:</b> RR – Residential RM15 – Residential RM30 – Residential RT – Residential	<b>Zoning:</b> P – Public R5 – Residential R10 – Single and two-family residential RM20 – Residential RM30 – Residential RT – Residential CG – Commercial
<b>Uses Allowed:</b> RR – large lot, single-family dwellings RM15 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential and office uses	<b>Uses Allowed:</b> P – Public uses including parks/open space and storm water drainage and facilities R5 – Single-family residential R10 – Single and two-family residential RM20 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential and office uses CG – General Commercial
<b>Maximum Density Allowed:</b> RR – 1 unit per 65,000 square feet RM15 – 15 units per acre RM30 – 30 units per acre RT – 30 units per acre	<b>Maximum Density Allowed:</b> P – N/A R5 – 5 units per acre R10 – 10 units per acre RM20 – 20 units per acre RM30 – 30 units per acre RT – 30 units per acre CG – 42 units per acre

**PROPERTY HISTORY:****Zoned:**

Portion – 11/79 &amp; 10/12

**Platted:**

Portion – 10/12

**Annexed:**

Portion – 10/12

**ADDITIONAL INFORMATION:**

1. The updated master plan for the the remaining area owned by Edgewood Development Group illustrates a mix of single and multi-family dwellings, general commercial and the future high school site.
2. The proposed master plan demonstrates multi-family zoning districts along 43<sup>rd</sup> Avenue NE and general commercial zoning in the southwest quadrant of the intersection of 43<sup>rd</sup> Avenue NE and Centennial Road. The future high school site would be north of Calgary Avenue in the southeast quadrant of the intersection of Nebraska Drive and the new east-west roadway proposed as Senior's Way.
3. Although preliminary, the future high school site would be approximately 61 acres and is shown to provide a track, multiple baseball fields, football fields, soccer fields, tennis courts and off-street parking areas along the new roadway proposed as Alabama Street and along the extension of Calgary Avenue. Based on the master plan layout, Alabama Street would be the primary entrance to the high school and the roadway utilized to access the parking areas along the east side of the school facility. Additional off-street parking is shown along the north side of Calgary Avenue adjacent to the ball fields in the southwest portion of the site.
4. Bismarck Parks & Recreation staff and the applicant have discussed future multi-use trails this area; in particular, how the extension of existing trails within the Hay Creek corridor will be implemented within this development and allow for further extensions of the multi-use trail system. The areas have been identified on the master plan and are acceptable to the Parks & Recreation staff.

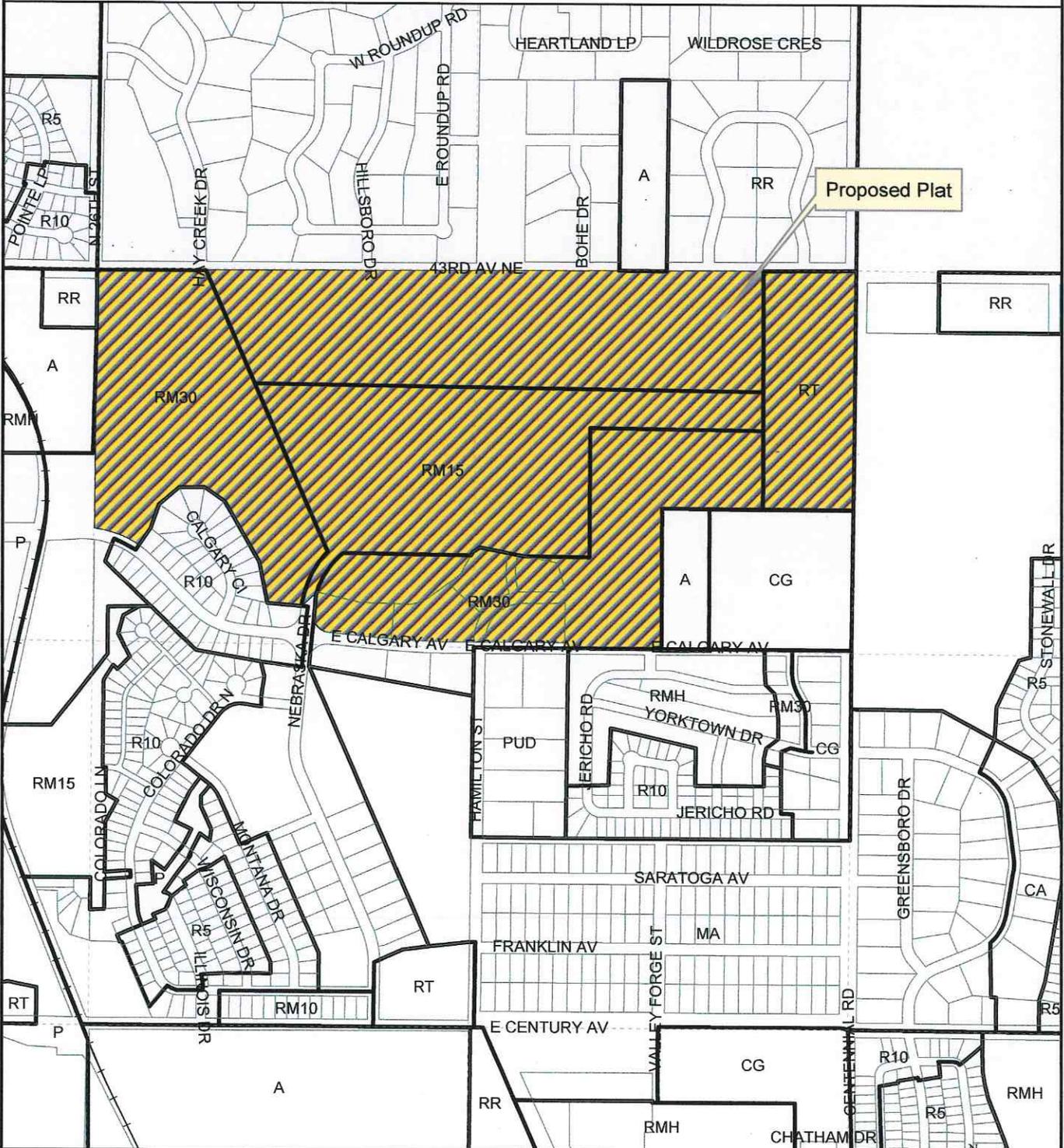
**FINDINGS:**

1. The proposed zoning change is outside the boundaries of the Land Use Plan.
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include single and two-family zoned property to the southwest; multi-family-zoned property to the south near the intersection of Nebraska Drive and East Calgary Avenue; property zoned as a PUD-Planned Unit Development that allows the development of shop/storage condos at the intersection of Hamilton Street and Calgary Avenue; developing single-family property along the south side of Calgary Avenue east of Hamilton street; multi-family zoned property and the KOA campground and undeveloped land to the east; and rural residential, single-family dwellings to the north.
3. An annexation request has been submitted in conjunction with this request and the entire property would be annexed prior to development; therefore the proposed zoning change would not place an undue burden on public services.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends scheduling a public hearing for the zoning change for Edgewood Village Seventh Addition from the RR-Residential, RM15-Residential, RM30-Residential and RT-Residential zoning districts to P-Public, R5-Residential, R10-Residential, RM20-Residential, RM30-Residential and CG-Commercial zoning districts.

# Proposed Plat and Zoning Change (RR, RM15, RM30 & RT to R5, RM15, RM20, RM30, RT, CG & P) Edgewood Village 7th Addition



Proposed Plat

DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 26, 2012 (Klee)

Source: City of Bismarck







REVISED EDGEWOOD MASTERPLAN - 12/21/12

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> Edgewood Village Seventh Addition – Preliminary Plat	
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013
<b>Owner(s):</b> Bismarck Land Company, LLC Edgewood Village Development Group, LLC	<b>Engineer:</b> AE2S
<b>Reason for Request:</b> To plat, zone and annex property in conjunction with the seventh phase of the Edgewood Village residential development and a future public high school.	
<b>Location:</b> In northeast Bismarck, along the south side of 43 <sup>rd</sup> Avenue NE and the west side of Centennial Road (Auditor's Lots A, B and C and Lots 1-3, Block 4, Lot 1, Block 5, Lot 1, Block 6 of Edgewood Village 6 <sup>th</sup> Addition of the N½ of Section 23, T139N-R80W/Hay Creek Township).	
<b>Project Size:</b> 258.45 acres	<b>Number of Lots:</b> 26 lots in 7 blocks
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Vacant/Undeveloped	<b>Land Use:</b> Single and multi-family residential, general commercial, a public high school and public open space
<b>Zoning:</b> RR – Residential RM15 – Residential RM30 – Residential RT – Residential	<b>Zoning:</b> P – Public R5 – Residential R10 – Single and two-family residential RM20 – Residential RM30 – Residential RT – Residential CG – Commercial
<b>Uses Allowed:</b> RR – large lot, single-family dwellings RM15 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential and office uses	<b>Uses Allowed:</b> P – Public uses including parks/open space and storm water drainage and facilities R5 – Single-family residential R10 – Single and two-family residential RM20 – Multi-family residential RM30 – Multi-family residential RT – Multi-family residential and office uses CG – General commercial
<b>Maximum Density Allowed:</b> RR – 1 unit per 65,000 square feet RM15 – 15 units per acre RM30 – 30 units per acre RT – 30 units per acre	<b>Maximum Density Allowed:</b> P – N/A R5 – 5 units per acre R10 – 10 units per acre RM20 – 20 units per acre RM30 – 30 units per acre RT – 30 units per acre CG – 42 units per acre

**PROPERTY HISTORY:****Zoned:**

Portion – 11/79 &amp; 10/12

**Platted:**

Portion – 10/12

**Annexed:**

Portion – 10/12

**ADDITIONAL INFORMATION:**

1. The updated master plan for the the remaining area owned by Edgewood Development Group illustrates a mix of single and multi-family dwellings, general commercial and the future high school site.
2. The proposed master plan demonstrates multi-family zoning districts along 43<sup>rd</sup> Avenue NE; general commercial zoning in the southwest quadrant of the intersection of 43<sup>rd</sup> Avenue NE and Centennial Road. The future high school site would be north of Calgary Avenue in the southeast quadrant of the intersection of Nebraska Drive and the new east-west roadway proposed as Senior's Way.
3. Due to topographic constraints, the applicant has requested a waiver to allow the use of a cul-de-sac within the proposed subdivision. Section 14-09-05(1)(m) of the Subdivision Regulations (Design Standards) states, "The use of cul-de-sac streets shall be limited in order to promote a well-connected street network that provides for safe, direct and convenient access by vehicles, bicycles and pedestrians. Cul-de-sac streets may be permitted in instances where there is no reasonable opportunity to provide for future connections to adjoining streets, including natural barriers such as topography or water features, man-made barriers such as railroad tracks, or to discourage through-traffic between incompatible land uses. Detailed written justification for the use of cul-de-sac streets in proposed subdivision plats shall be provided as part of the plat application process." Based on these criteria, staff has no objection to the use of a cul-de-sac in the northwest portion of the proposed subdivision, as the natural topography creates steep terrain unsuitable for public streets.
4. Although preliminary, the future high school site would be approximately 61 acres and is shown to provide a track, multiple baseball fields, football fields, soccer fields tennis courts and off-street parking areas along the new roadway proposed as Hamilton Street and along the extension of Calgary Avenue. Based on the master plan layout, Hamilton Street would be the primary entrance to the high school and the roadway utilized to access the parking areas along the east side of the school facility. Additional off-street parking is shown along the north side of Calgary Avenue adjacent to the ball fields in the southwest portion of the site.
5. Bismarck Parks & Recreation staff and the applicant have discussed future multi-use trails this area; in particular, how the extension of existing trails within the Hay Creek corridor will be implemented within this development and allow for further extensions of the multi-use trail system. The areas have been identified on the master plan and are acceptable to the Parks & Recreation staff.

**FINDINGS:**

1. All technical requirements for consideration of a preliminary plat have been met.
2. The Fringe Area Road Master Plan (FARMP) does not identify an east-west collector roadway between North 19<sup>th</sup> Street and Nebraska Drive in Sections 22 and 23/Hay Creek Township. The FARMP was amended in 2006 with Edgewood Village First Addition, and Calgary Avenue was adopted as the east-west collector roadway east of North 19<sup>th</sup> Street to the section line. An amendment to the FARMP was made with the plat of Edgewood Village Sixth Addition in 2012 to identify the remaining portion of the east-west collector roadway in Section 23, Hay Creek Township. The proposed subdivision will conform with the amendment to the FARMP as amended, the FARMP does identify Calgary Avenue as the east/west collector and Nebraska Drive as the north/south collector roadway for this section.

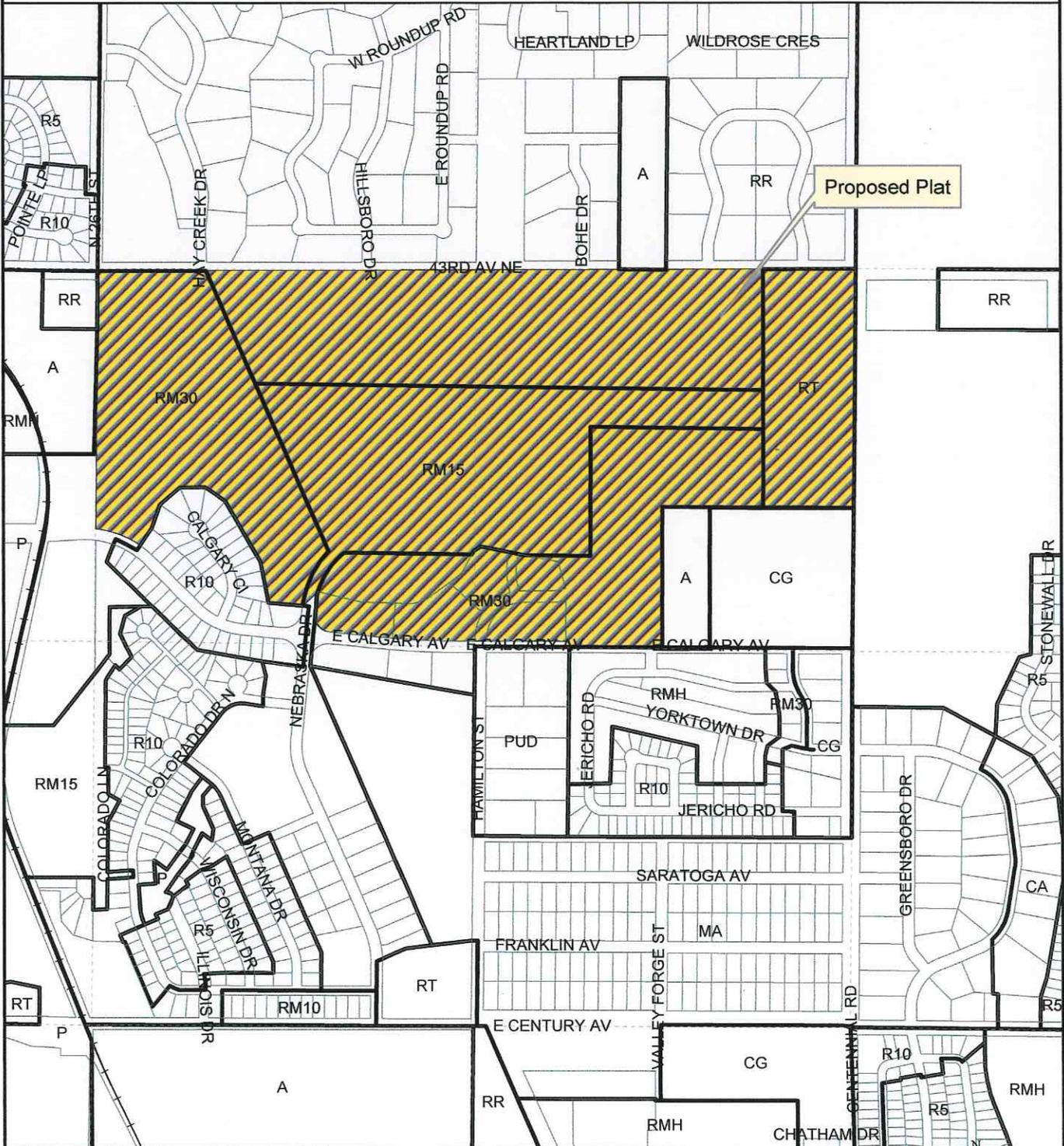
*(continued)*

3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include single and two-family zoned property to the southwest; multi-family-zoned property to the south near the intersection of Nebraska Drive and East Calgary Avenue; property zoned as a PUD-Planned Unit Development that allows the development of shop/storage condos at the intersection of Hamilton Street and Calgary Avenue; developing single-family property along the south side of Calgary Avenue east of Hamilton street; multi-family zoned property and the KOA campground and undeveloped land to the east; and rural residential, single-family dwellings to the north.
4. An annexation request has been submitted in conjunction with this request and the entire property would be annexed prior to development; therefore the proposed zoning change would not place an undue burden on public services
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

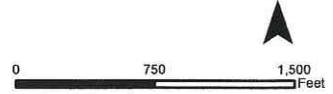
Based on the above findings, staff recommends tentative approval of the preliminary plat of Edgewood Village Seventh Addition.

# Proposed Plat and Zoning Change (RR, RM15, RM30 & RT to R5, RM15, RM20, RM30, RT, CG & P) Edgewood Village 7th Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 26, 2012 (Klee)

Source: City of Bismarck

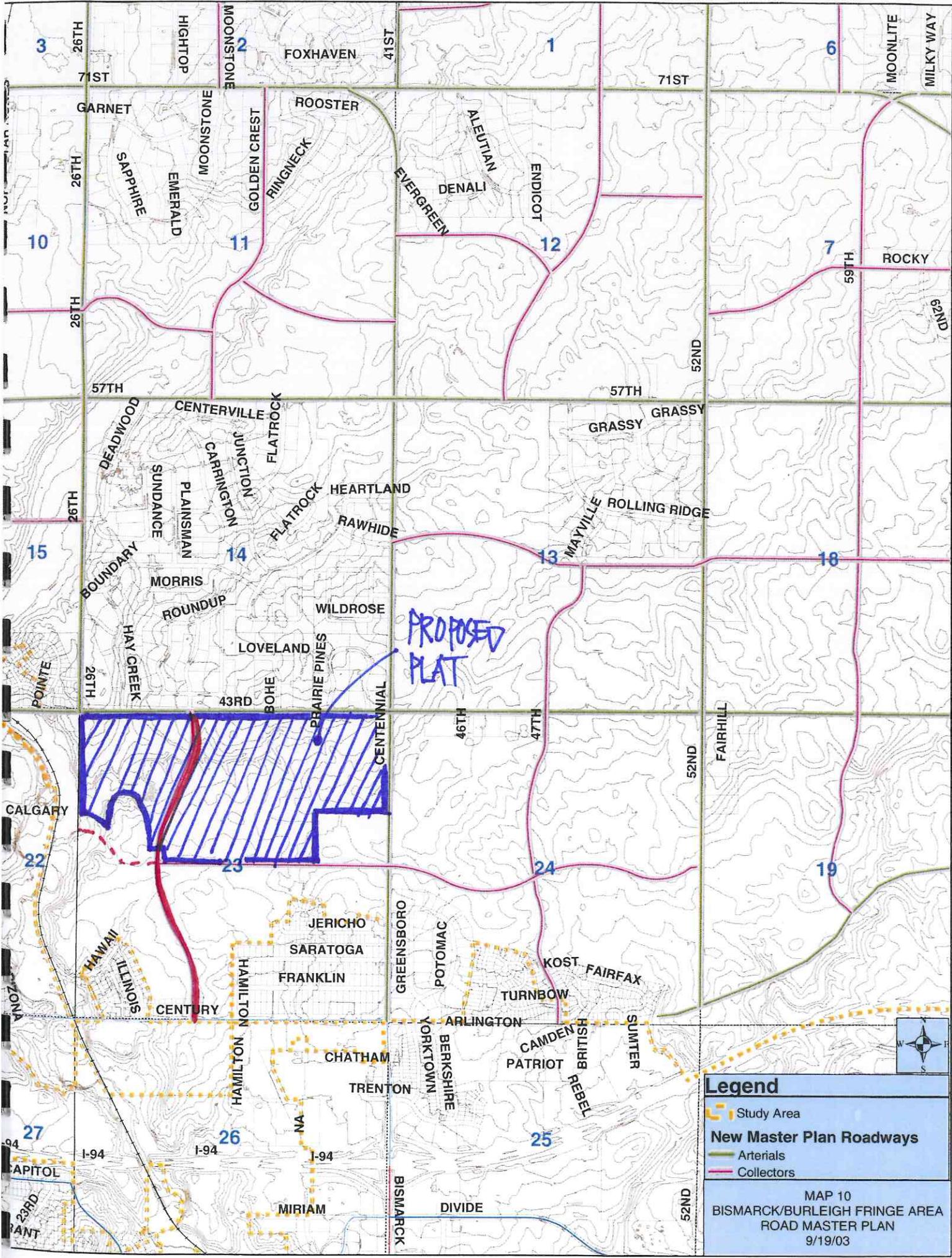












PROPOSED  
PLAT

**Legend**

- Study Area
- New Master Plan Roadways
  - Arterials
  - Collectors

MAP 10  
BISMARCK/BURLEIGH FRINGE AREA  
ROAD MASTER PLAN  
9/19/03



**CITY/ETA SUBDIVISION SUBMITTAL REQUIREMENTS  
WAIVER REQUEST FORM**

RECEIVED  
DEC 21 2012

If any waivers from subdivision requirements/standards are being requested, this form must be completed and submitted in conjunction with the unified development application.

**SUBDIVISION INFORMATION:**

Name of Subdivision:

Location of Subdivision:

Name of Property Owner/Developer:

Contact Person (if different from owner):

**REQUESTED WAIVERS FROM SUBDIVISION REQUIREMENTS/STANDARDS:**

<input type="checkbox"/> <b>Ghost Platting</b>	Reason for Request	<input type="text"/>
<input type="checkbox"/> <b>Paving of Interior Roadways</b>	Reason for Request	<input type="text"/>
<input type="checkbox"/> <b>Maximum Block Length</b>	Reason for Request	<input type="text"/>
<input type="checkbox"/> <b>Minimum Lot Width</b>	Reason for Request	<input type="text"/>
<input checked="" type="checkbox"/> <b>Use of Cul-de-sacs</b>	Reason for Request	Due to topographic constraints of a natural valley and waterway, the developer wishes to request a waiver to allow use of cul-de-sacs with the proposed subdivision. The cul-de-sacs will also provide an efficient use of space to provide the maximum number of single-family lots within the subdivision.
<input type="checkbox"/> <b>Minimum Lot Size</b> (only allowed if platting an existing non-conforming parcel)	Reason for Request	<input type="text"/>
<input type="checkbox"/> <b>Other</b> (Please specify)	Reason for Request	<input type="text"/>

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

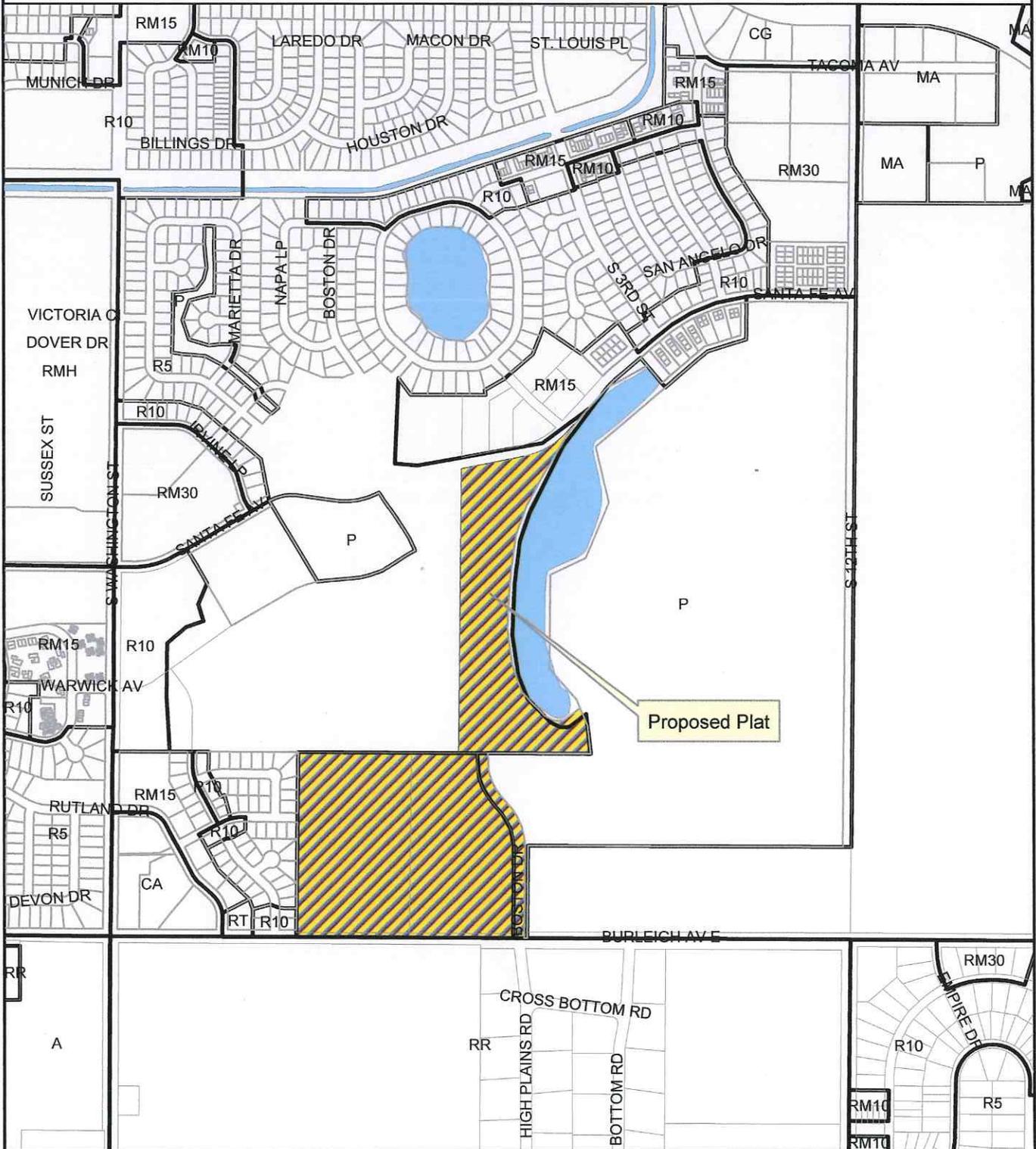
<b>BACKGROUND:</b>		
<b>Title:</b> Meadow Village Addition – Zoning Change (A to R10, RM30 and P)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Bismarck Parks & Recreation (L1&2, B3) Meadow Village, LLP (remainder)	<b>Engineer:</b> Houston Engineering	
<b>Reason for Request:</b> Plat, zone, and annex property for mixed density residential and public use..		
<b>Location:</b> Along the north side of Burleigh Avenue between South Washington Street and South 12 <sup>th</sup> Street (Part of the SE <sup>1</sup> / <sub>4</sub> of the SW <sup>1</sup> / <sub>4</sub> and part of the SW <sup>1</sup> / <sub>4</sub> of the SE <sup>1</sup> / <sub>4</sub> , and part of the Boston Drive right-of-way included in Cottonwood Park Addition, Section 16, T138N-R80W/ Lincoln Township).		
<b>Project Size:</b> 70.79 acres	<b>Number of Lots:</b> 20 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Mixed density residential and public uses	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R10 – Residential RM30 – Residential P - Public	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R10 – One- and two-family residential RM30 – Multi-family residential P – Public uses including parks	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R10 – 10 units/acre RM30 – 30 units/acre P – N/A	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 12/2008 Portion (Cottonwood Park Addition)	<b>Platted:</b> 12/2008 Portion (Cottonwood Park Addition)	<b>Annexed:</b> 12/2008 Portion (Cottonwood Park Addition)
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The Land Use Plan identifies this area as residential (South 12<sup>th</sup> Street Watershed Stormwater Management and Land Use Master Plan).</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developing mixed density residential to the west, undeveloped residential to the north and south, and Park property to the east.</li> <li>3. The entire subdivision would be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services and facilities.</li> </ol>		
<i>(continued)</i>		

4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change may not be consistent with the general intent and purpose of the zoning ordinance. In particular, if the R10-Residential were to develop as single family homes, there would no longer be a zoning transition between the higher density RM30-Residential multi-family and the single family homes.
6. The proposed zoning change may not be consistent with the master plan, other adopted plans, policies and accepted planning practice. In particular, locating R10- Residential, with the potential to develop as single family homes adjacent to RM30- Residential is contrary to the concepts of transitional zoning.
7. The proposed zoning located within the proposed subdivision would not be consistent with the general intent and purpose of the zoning ordinance and may not be compatible with adjacent land uses, adversely affecting properties located within the proposed subdivision. In particular, locating R10- Residential adjacent to RM30- Residential is contrary to the concepts of transitional zoning. If the R10-Residential were to develop as single family homes, there would no longer be a zoning transition between the higher density multi-family and the single family homes.

**RECOMMENDATION:**

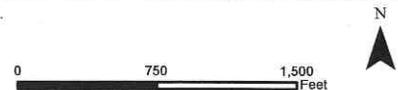
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the A-Agricultural zoning district to the R10-Residential, RM30-Residential and P-Public zoning districts for Meadow Village Addition, with the understanding that staff will recommend that the construction of single family homes be prohibited on Lots 1-6, Block ,1 and Lots 1-10, Block 3.

# Proposed Plat and Zoning Change (A to R10, RM30 & P) Meadow Village Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: January 18, 2012 (Klee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>Title:</b> Section 16, T138N-R80W/Lincoln Township– Fringe Area Road Master Plan Amendment (in conjunction with the preliminary plat for Meadow Village Addition)	
<b>Status:</b> Planning Commission - Consideration	<b>Date:</b> January 23, 2013
<b>Reason for Request:</b> Relocate Boston Drive, the north -south collector in Section 16, Lincoln Township.	
<b>Location:</b> Section bounded by Burleigh Avenue to the south, Santa Fe Avenue to the north, South Washington Street to the west and South 12 <sup>th</sup> Street to the east.	
<b>FINDINGS:</b>	
<ol style="list-style-type: none"> <li>1. The Fringe Area Road Master Plan was adopted by the Board of City Commissioners on September 9, 2003.</li> <li>2. The developer of Meadow Village Addition is requesting an amendment to the Fringe Area Road Master Plan for Section 16, T138N-R80W/Lincoln Township, to relocate the southern portion of Boston Drive, the north-south collector for this section, approximately 650 feet to the west. Boston Drive will have the potential to extend north from Burleigh Avenue to Santa Fe Avenue.</li> <li>3. The proposed subdivision (Meadow Village Addition) would conform to the Fringe Area Road Master Plan as amended.</li> </ol>	
<b>RECOMMENDATION:</b>	
Based on the above findings, staff recommends scheduling a hearing for the amendment to the Fringe Area Road Master Plan for Section 16, T138N-R80W/Lincoln Township.	



PROPOSED FARM - BOSTON

- Legend**
- Study Area
  - New Master Plan Roadways**
    - Arterials
    - Collectors

MAP 14  
 BISMARCK/BURLEIGH FRINGE AREA  
 ROAD MASTER PLAN  
 9/19/03

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Meadow Village Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Bismarck Parks & Recreation (L1&2, B3) Meadow Village, LLP (remainder)	<b>Engineer:</b> Houston Engineering	
<b>Reason for Request:</b> Plat, One and annex property for mixed density residential and public use.		
<b>Location:</b> Along the north side of Burleigh Avenue between South Washington Street and South 12 <sup>th</sup> Street (Part of the SE¼ of the SW¼ and part of the SW¼ of the SE¼, and part of the Boston Drive right-of-way included in Cottonwood Park Addition, Section 16, T138N-R80W/ Lincoln Township).		
<b>Project Size:</b> 70.79 acres	<b>Number of Lots:</b> 20 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Mixed density residential and office uses	
<b>Uses Allowed:</b> A – Agriculture	<b>Zoning:</b> R10 – Residential RM30 – Residential P- Public	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Uses Allowed:</b> R10 – One- and two-family residential RM30 – Multi-family residential P – Public uses, including	
	<b>Maximum Density Allowed:</b> R10 – 10 units/acre RM30 – 30 units/acre P – N/A	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 12/2008 Portion(Cottonwood Park Addition)	<b>Platted:</b> 12/2008 Portion(Cottonwood Park Addition)	<b>Annexed:</b> 12/2008 Portion(Cottonwood Park Addition)
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>All technical requirements for consideration of a preliminary plat have been met.</li> <li>The proposed subdivision does not conform to the Fringe Area Road Master Plan for this area; however, an amendment is being initiated in conjunction with this plat to move the south end of the north-south collector approximately 650 feet to the west.. The proposed subdivision will conform to the Fringe Area Road Master Plan as amended.</li> <li>The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing mixed density residential to the west, undeveloped residential to the north and south, and P-Public zoned open space to the east.</li> </ol>		

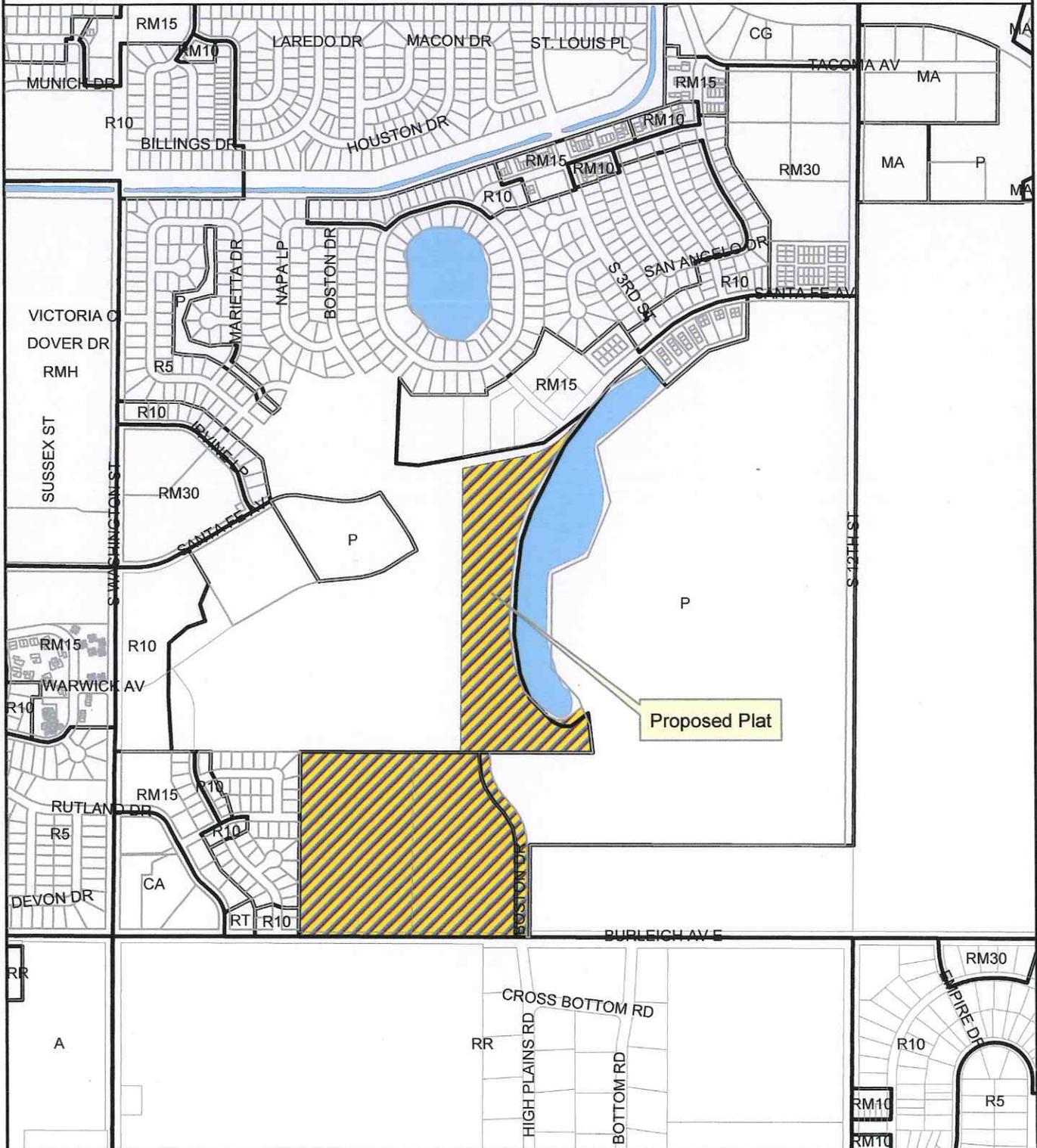
(continued)

4. The entire subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

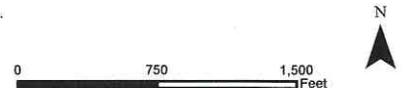
Based on the above findings, staff recommends tentative approval of the preliminary plat of Meadow Village Addition.

## Proposed Plat and Zoning Change (A to R10, RM30 & P) Meadow Village Addition



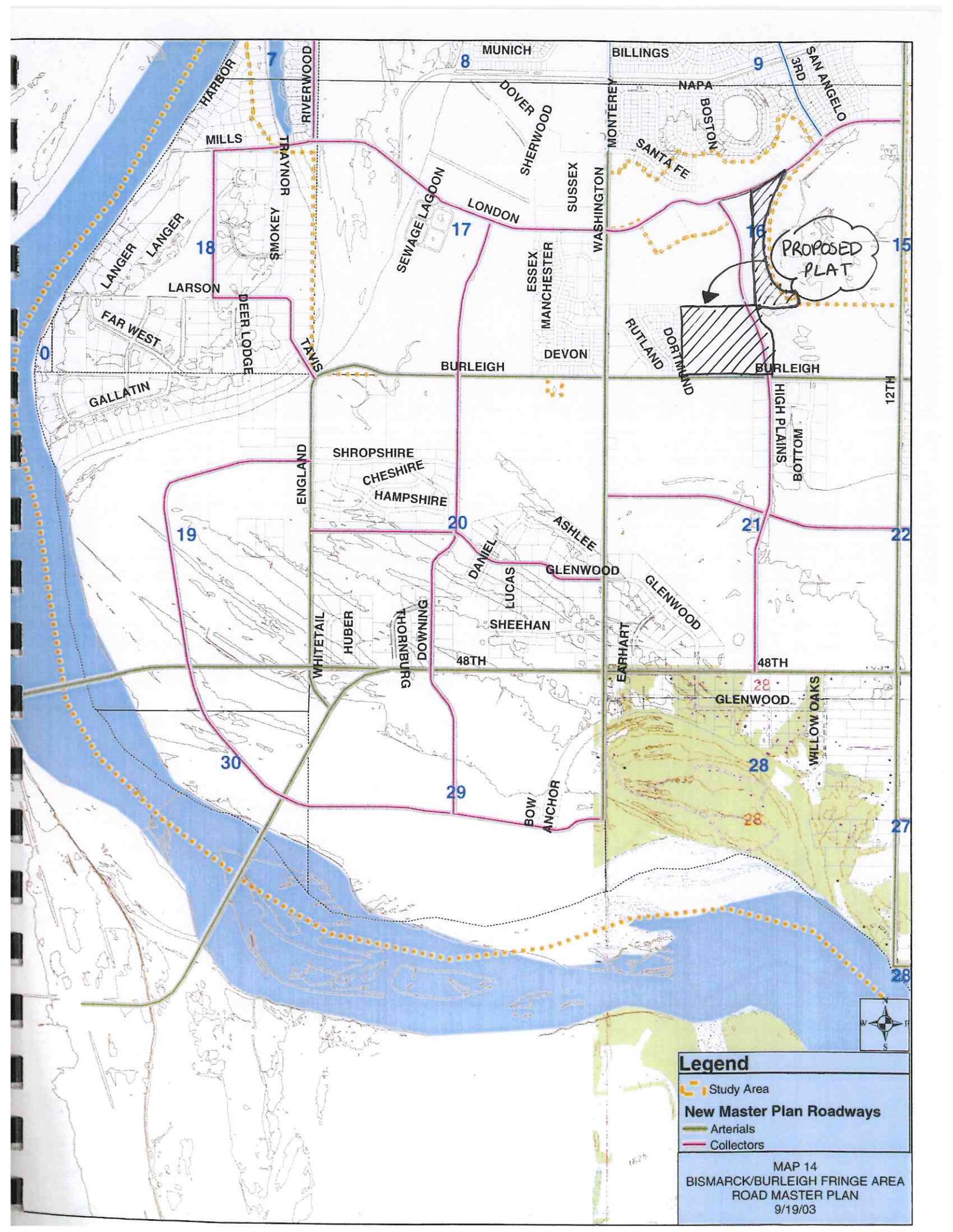
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: January 18, 2012 (Klee)

Source: City of Bismarck









PROPOSED PLAT

**Legend**

-  Study Area
- New Master Plan Roadways**
  -  Arterials
  -  Collectors

MAP 14  
 BISMARCK/BURLEIGH FRINGE AREA  
 ROAD MASTER PLAN  
 9/19/03

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Sunrise Town Centre Addition – Zoning Change (CA & MA to CA & CG)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> SNT Development, Inc	<b>Engineer:</b> Kadrmaz, Lee & Jackson	
<b>Reason for Request:</b> Re-plat, re-zone, and annex property for commercial development.		
<b>Location:</b> Along the east side of Centennial Road, north of East Century Avenue (A replat of Block 3 and portions of Blocks 2, 4, 5, and 6, Turnbow Industrial Park First Addition and Lots 20-22, Block 1, Sattler's Sunrise First Addition).		
<b>Project Size:</b> 40.56 acres	<b>Number of Lots:</b> 11 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
	<b>Land Use:</b> Mixed density residential and office uses	
<b>Zoning:</b> MA – Industrial CA – Commercial	<b>Zoning:</b> CG – Commercial (Blocks 1, 2, 4, and 5) CA – Commercial (Block 3)	
<b>Uses Allowed:</b> MA – Light Industrial CA – Multi-family homes, offices and neighborhood commercial	<b>Uses Allowed:</b> CG – Multi-family homes, offices and general commercial CA – Multi-family homes, offices and light commercial	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> CG – 42 units/acre CA – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 04/1980 (Turnbow Industrial Park First Addition) 05/1999 (Sattler's Sunrise First Addition)	<b>Platted:</b> 04/1980 (Turnbow Industrial Park First Addition) 05/1999 (Sattler's Sunrise First Addition)	<b>Annexed:</b> 05/1999 (Sattler's Sunrise First Addition)
<b>ADDITIONAL INFORMATION:</b>		
1. The property included in Block 3 was original zoned MA-Industrial, but was replatted and zoned to CA-Commercial as part of Sattler's Sunrise First Addition. At that time the CA-Commercial zoning was an acceptable transition between the proposed R5-Residential in Sattler's Sunrise First Addition and the existing MA-Industrial in Turnbow Industrial Park. With the replat and the proposed development as commercial uses, a lower intensity zoning transition between the R5-Residential and CA-Commercial would be more appropriate. Staff would recommend that the eastern tier of this development be zoned RM- Residential or RT-Residential.		
<b>FINDINGS:</b>		
1. The Land Use Plan identifies this area as general commercial (Bismarck Mandan Future Regional Land Use Plan).		

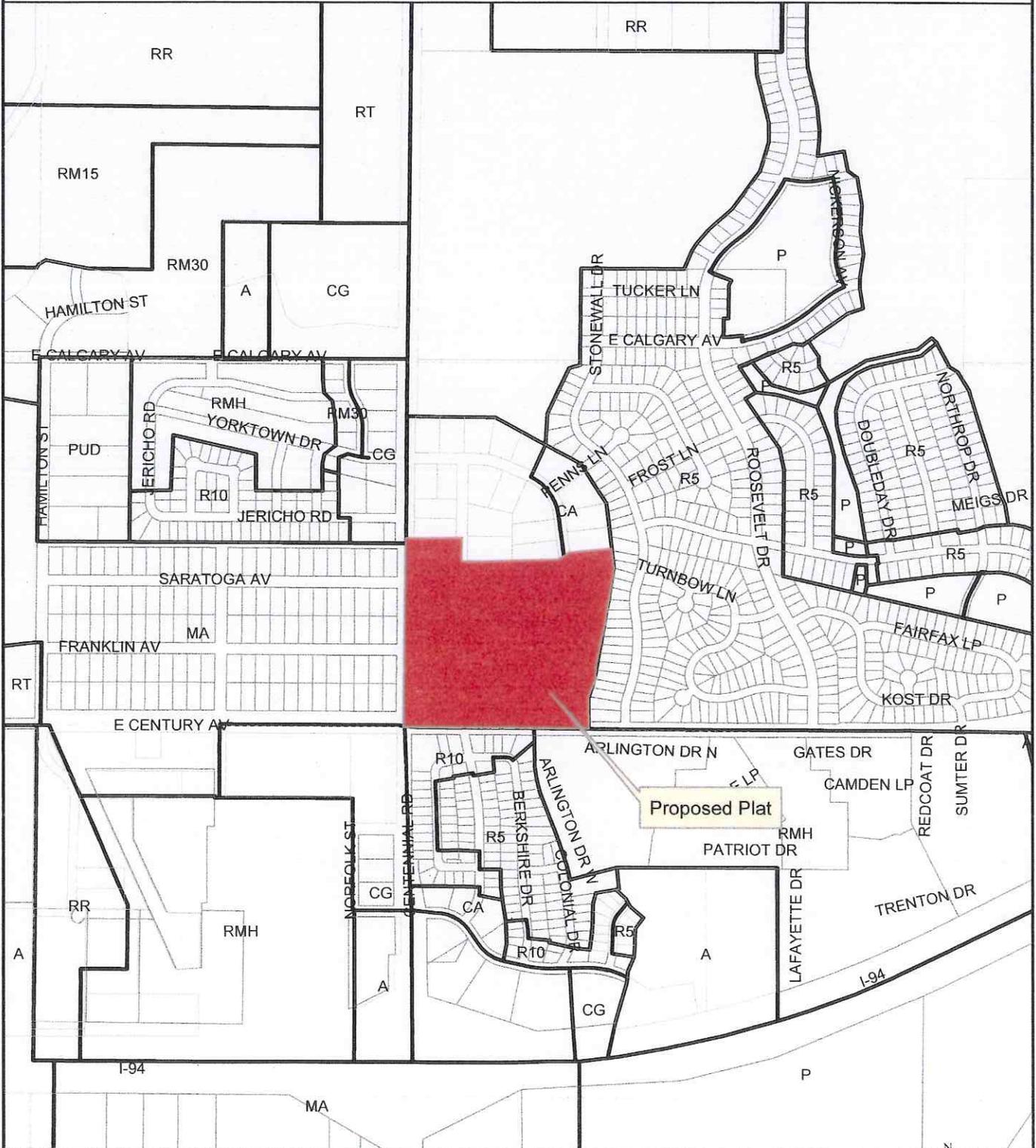
(continued)

2. The proposed zoning change may not be compatible with adjacent land uses. In particular, there is a lack of an acceptable zoning transition between the proposed commercial use located along the eastern tier of the proposed subdivision and the existing residential use adjacent to the proposed subdivision. Adjacent land uses include mixed density residential to the south, undeveloped MA-zoned land to the north, industrial uses to the west and single family residential uses to the east.
3. The entire subdivision proposed for this property would be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services and facilities.
4. The proposed zoning change may adversely affect property in the vicinity. In particular, there is not an acceptable zoning transition between the proposed CG-Commercial zoned property within the plat and the existing R5-Residential zoned property to the east.
5. The proposed zoning change is not consistent with the general intent and purpose of the zoning ordinance. In particular, a lower intensity zoning transition between the R5-Residential and CG-Commercial zoning districts would be more appropriate
6. The proposed zoning change is not completely consistent with the master plan, other adopted plans, policies and accepted planning practice. In particular, there is a lack of an acceptable zoning transition between the proposed higher intensity CG-Commercial and the existing lower intensity R5-Residential zoning district to the east.

**RECOMMENDATION:**

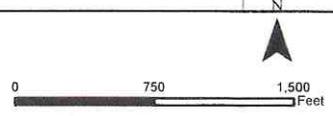
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the CA-Commercial and MA-Industrial zoning districts to the CA-Commercial zoning district for Block 3, and to the CG-Commercial zoning district for Blocks 1, 2, 4, and 5, Sunrise Town Centre Addition, with the understanding that staff has concerns with the lack of an appropriate zoning transition along the eastern edge of this plat and cannot recommend approval until an acceptable alternative is proposed.

# Proposed Plat and Zoning Change (CA & MA to CG & CA) Sunrise Town Centre Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 26, 2012 (Klee)

Source: City of Bismarck





NO.	DATE	REVISION

DATE	12/21/2012
DESIGNED BY	JPH
CHECKED BY	SAK
PROJECT NO.	1812579
DATE	12/21/2012

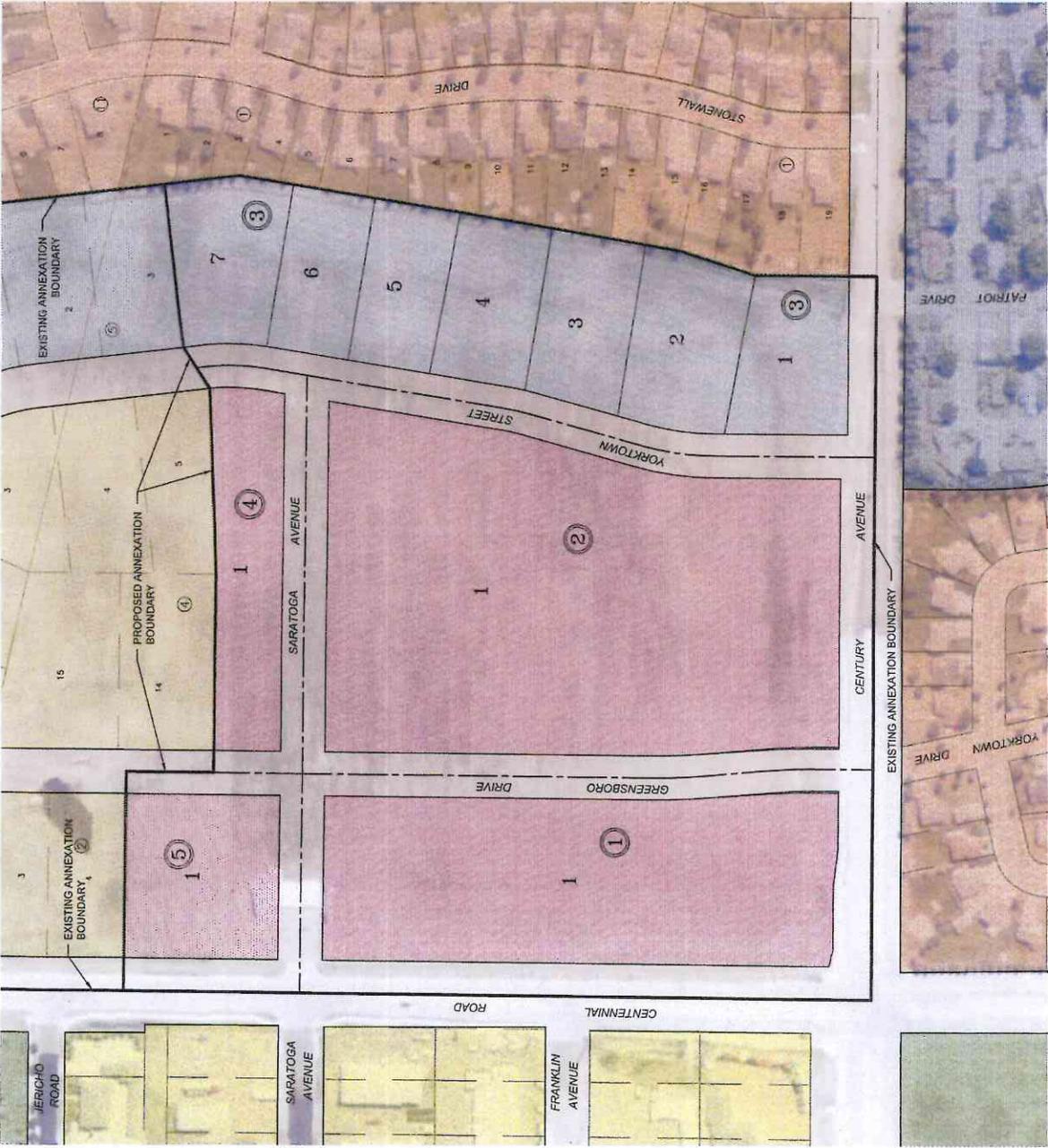
**SUNRISE TOWN CENTRE ADDITION**  
 SNT DEVELOPMENT INC  
 BISMARCK, NORTH DAKOTA  
 AREA CONCEPT DEVELOPMENT PLAN

SHEET  
**1**  
 © NJ 2012

**RECEIVED**  
 DEC 21 2012

- PROPOSED HEAVY COMMERCIAL (CG)
- EXISTING NEIGHBORHOOD COMMERCIAL (CA)
- EXISTING HEAVY COMMERCIAL (CG)
- EXISTING MANUFACTURED HOME PARK (RMA)
- EXISTING SINGLE FAMILY RESIDENTIAL (R5)
- EXISTING LIGHT INDUSTRIAL (MA)

LOTS TO BE ANNEXED:  
 LOT 1, BLOCK 1; LOT 1, BLOCK 2; LOT 1, BLOCK 4,  
 LOTS 1, BLOCK 5, SUNRISE TOWN CENTRE  
 ADDITION; - HEAVY COMMERCIAL (CG)  
 LOTS 1-7, BLOCK 3, SUNRISE TOWN CENTRE  
 ADDITION - NEIGHBORHOOD COMMERCIAL (CA)



PRELIMINARY - NOT FOR CONSTRUCTION

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Sunrise Town Centre Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> SNT Development, Inc	<b>Engineer:</b> Kadrmaz, Lee & Jackson	
<b>Reason for Request:</b> Re-plat, re-zone and annex property for commercial development.		
<b>Location:</b> Along the east side of Centennial Road, north of East Century Avenue (A replat of Block 3 and portion of Blocks 2, 4, 5, and 6, Turnbow Industrial Park First Addition and Lots 20-22, Block1, Sattler's Sunrise First Addition).		
<b>Project Size:</b> 40.56 acres	<b>Number of Lots:</b> 11 lots in 3 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Mixed density residential and office uses	
<b>Zoning:</b> MA – Industrial CA – Commercial	<b>Zoning:</b> CG – Commercial (Blocks 1, 2, 4, and 5) CA – Commercial (Block 3)	
<b>Uses Allowed:</b> MA – Light Industrial CA – Multi-family homes, offices and neighborhood commercial	<b>Uses Allowed:</b> CG – Multi-family homes, offices and general commercial CA – Multi-family homes, offices and light commercial	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> CG – 42 units/acre CA – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> 04/1980 (Turnbow Industrial Park First Addition) 05/1999 (Sattler's Sunrise First Addition)	<b>Platted:</b> 04/1980 (Turnbow Industrial Park First Addition) 05/1999 (Sattler's Sunrise First Addition)	<b>Annexed:</b> 05/1999 (Sattler's Sunrise First Addition)
<b>ADDITIONAL INFORMATION:</b>		
1. Prior to the approval of the final plat, the proposed streets must be reconfigured to ensure alignment with the extensions of those streets to the west across Centennial Road and to the south across Century Avenue. If a reconfiguration to ensure alignment cannot be accomplished, a name change will be required for the extension of Yorktown Drive in Stone Crest 2 <sup>nd</sup> Subdivision west of Centennial Road.		
<b>FINDINGS:</b>		
1. All technical requirements for consideration of a preliminary plat have been met.		
2. The proposed subdivision is outside the area of study for the Fringe Area Road Master Plan.		

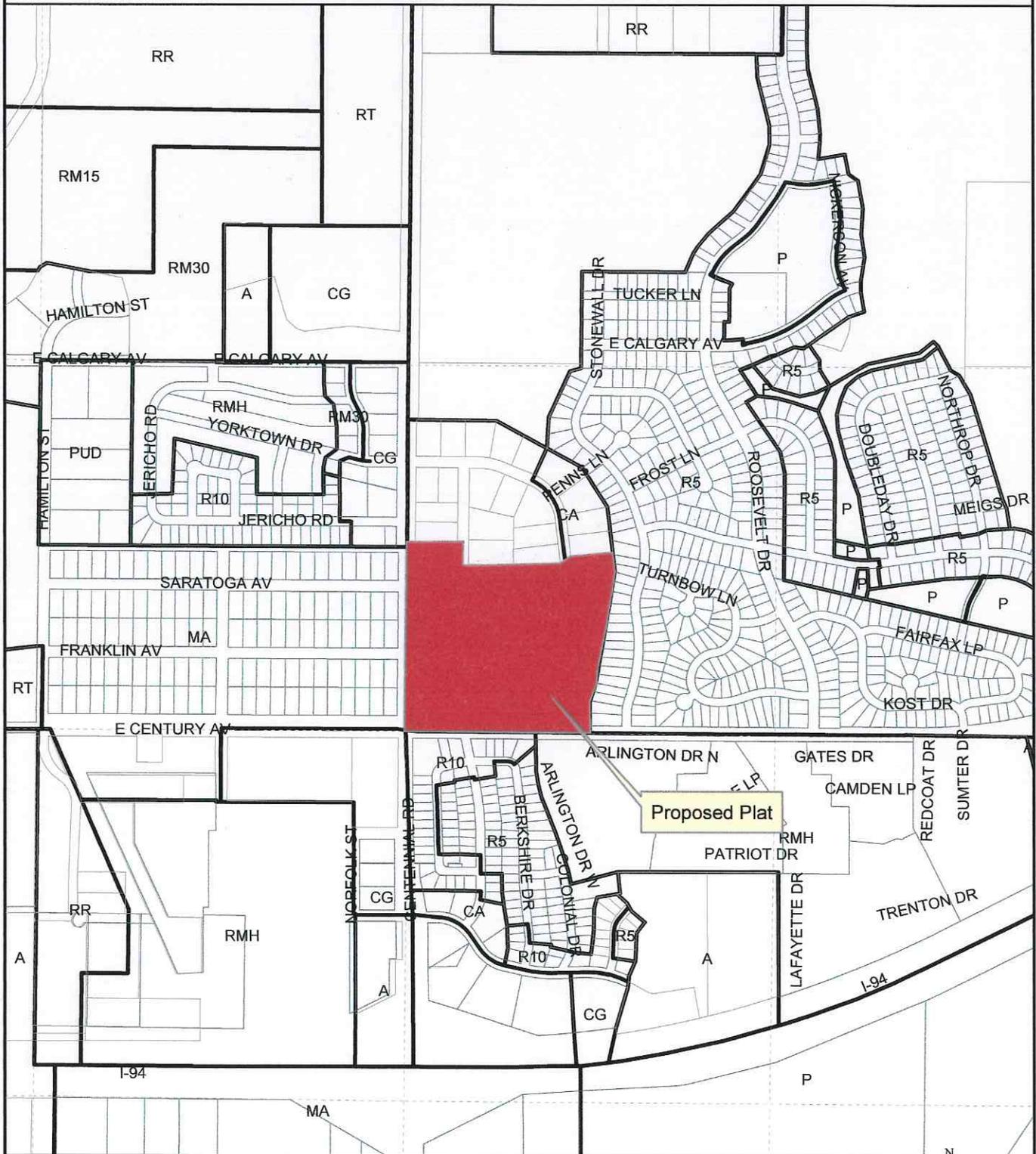
(continued)

3. The proposed subdivision may not be compatible with adjacent land uses. In particular, there is a lack of an acceptable zoning transition between the proposed commercial use located along the eastern tier of the proposed subdivision and the existing residential use adjacent to the proposed subdivision. Adjacent land uses include mixed density residential to the south, undeveloped MA-zoned land to the north, industrial uses to the west and single family residential uses to the east.
4. The entire subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

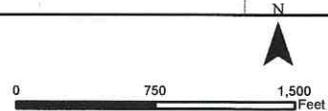
Based on the above findings, staff recommends tentative approval of the preliminary plat of Sunrise Town Centre Addition, with the understanding that a public hearing for the final plat will not be scheduled until the alignment of the proposed streets with the extensions of those streets to the west across Centennial Road and to the south across Century Avenue is resolved.

# Proposed Plat and Zoning Change (CA & MA to CG & CA) Sunrise Town Centre Addition



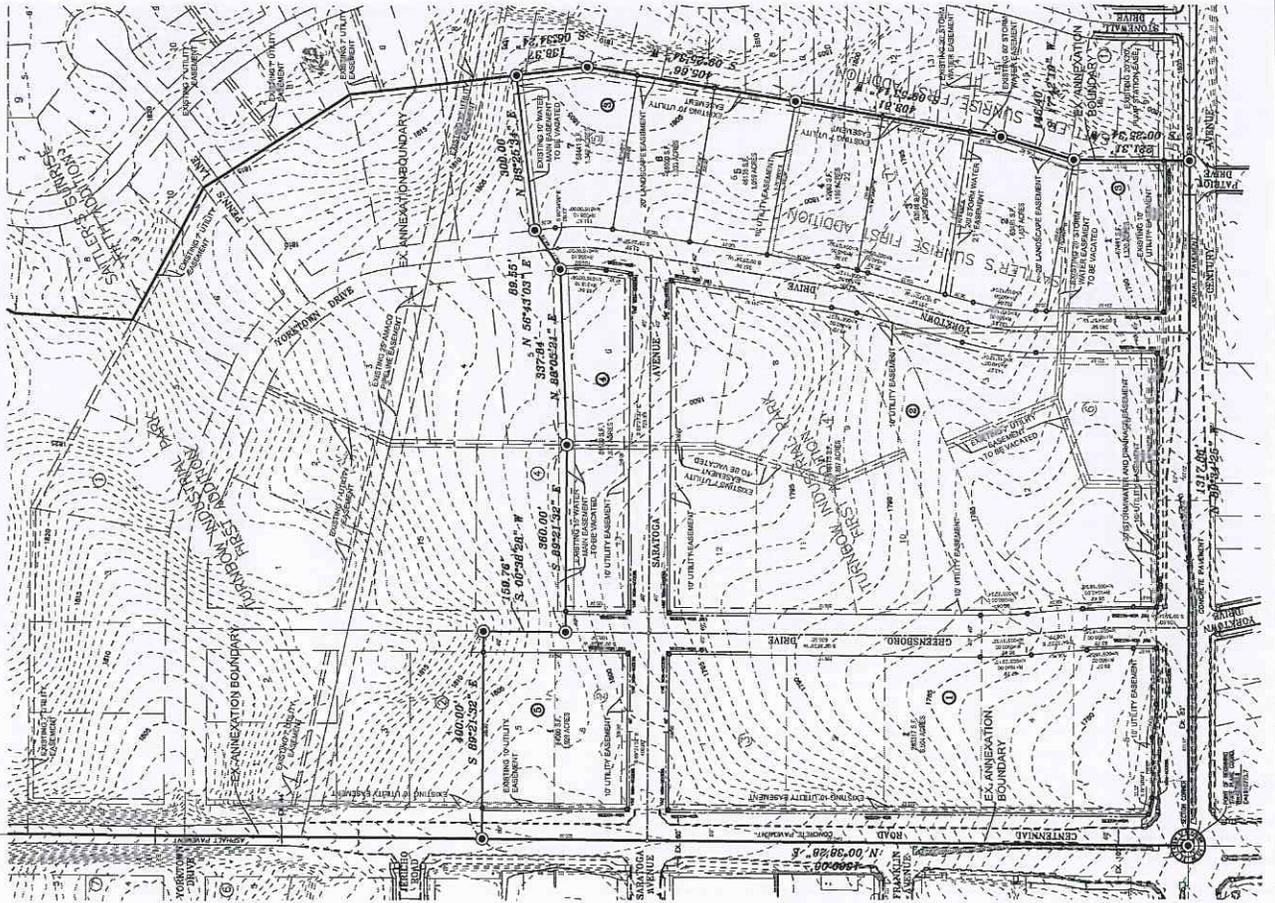
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 26, 2012 (Klee)

Source: City of Bismarck

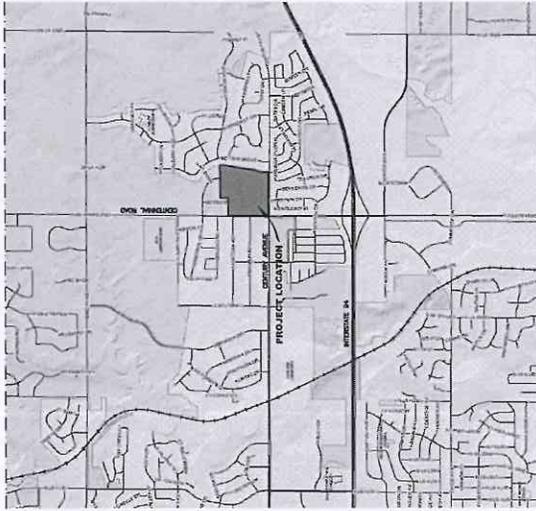


# SUNRISE TOWN CENTRE ADDITION

A REPLAT OF BLOCK 3 AND A PORTION OF BLOCKS 2, 4, 5 AND 6 OF TURNBOW INDUSTRIAL PARK FIRST ADDITION, AND LOTS 20, 21 AND 22, BLOCK 1 SATTLER'S SUNRISE FIRST ADDITION LOCATED IN THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 139 NORTH, RANGE 80 WEST, BURLEIGH COUNTY, NORTH DAKOTA



VICINITY MAP  
NOT TO SCALE



### ZONING INFORMATION

**EXISTING**  
 LOTS 20, 21 & 22, BLOCK 1 SATTLER'S SUNRISE FIRST ADDITION; LOTS 4, 5 & 6 BLOCK 5, TURNBOW INDUSTRIAL PARK FIRST ADDITION - NEIGHBORHOOD COMMERCIAL (CA)  
 LOTS 5 & 6, BLOCK 2; LOTS 1-5, BLOCK 3; LOTS 6-13, BLOCK 4; BLOCK 6, TURNBOW INDUSTRIAL PARK FIRST ADDITION - LIGHT INDUSTRIAL (MA)

**PROPOSED**  
 BLOCKS 1, 2, 4 & 5 - HEAVY COMMERCIAL (CO);  
 BLOCK 3 - NEIGHBORHOOD COMMERCIAL (CA)

### PLAT LEGEND

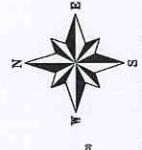
- EXISTING EASEMENT
- PROPOSED RIGHT OF WAY
- EXISTING LOT
- PROPOSED LOT
- PROPOSED EASEMENT
- BLOCK/LOT NUMBERS
- EXISTING CONTIGUOUS PARCELS (NOT RECALLED)
- EXISTING IMPROVEMENT FOUND
- EXISTING LOT CORNERS
- EXISTING BOUNDARY OR BLOCK CORNERS

### PLAT INFORMATION

- NUMBER OF LOTS: 11
- LOT ACREAGE - 30.797 ACRES
- R.O.M. ACREAGE - 8.268 ACRES
- TOTAL ACREAGE - 40.563 ACRES

**ENGINEER:**  
 KADANS, LEE & JACKSON, INC.  
 1000 WEST 10TH AVENUE, SUITE 200  
 BISMARCK, NORTH DAKOTA 58507  
 PHONE 701-338-9000

**ENGINEER:**  
 KADANS, LEE & JACKSON, INC.  
 1000 WEST 10TH AVENUE, SUITE 200  
 BISMARCK, NORTH DAKOTA 58507  
 PHONE 701-338-9000



SCALE  
 0 100 200  
 FEET  
 HORIZONTAL DATUM: NAD 83  
 VERTICAL DATUM: NGVD 83  
 UNITS OF MEASUREMENT: FEET,  
 AND SOUTH ZONE 3202  
 NAD 83, UTM Zone 18N, Datum: North American Datum 1983

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 DEC 21 2012



**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Revolutionary Addition – Zoning Change (RR & MA to CG & MA)		
<b>Status:</b> Planning Commission - Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> JETM, LLP (Block 2) City of Bismarck (Block 1)	<b>Engineer:</b> Bartlett & West	
<b>Reason for Request:</b> To allow for future development of industrial and commercial lots.		
<b>Location:</b> In northeast Bismarck, along the south side of East Century Avenue approximately ¼ mile west of Centennial Road (A replat of Auditor's Lot A of the NE ¼, Auditor's Lot A of Tract 4, Auditor's Lot A of Lot 3, Block 1, Mr. B's West Addition and part of Tract 3 in the NE ¼ of Section 26, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 17.80 acres	<b>Number of Lots:</b> 8 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Industrial, Commercial and City stormwater facilities	
<b>Zoning:</b> MA – Industrial (Block 2) RR – Residential (Block 1)	<b>Zoning:</b> MA – Industrial (Block 2) CG – Commercial (Block 1)	
<b>Uses Allowed:</b> MA – Light industrial and commercial uses RR – Large lot single-family dwellings	<b>Uses Allowed:</b> MA – Light industrial and commercial uses CG – General commercial and multi-family	
<b>Maximum Density Allowed:</b> MA – N/A RR – 1 unit per 65,000 square feet	<b>Maximum Density Allowed:</b> MA – N/A CG – 42 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1990	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
<ol style="list-style-type: none"> <li>1. The City of Bismarck – Public Works Department owns Lot 1, Block 1 for the purpose of storm water detention and conveyance. The City of Bismarck intends to sell this property as the storm water facilities are in place and located within an easement. The remaining portion of the lot is considered to be developable property.</li> <li>2. The owner of Lots 1-2, Block 2 has indicated a desire to develop the property as a cold storage facility with several freestanding buildings. Storage units are considered an industrial land use, which would require a 50-foot wide, 6-foot high landscaped berm to provide separation and screening from the single-family dwellings directly adjacent to the south. The owner has proposed to install a concrete screen wall in-lieu of the 6-foot high landscape berm. Staff will continue to work with the developer to provide appropriate screening technique(s) along the south side of Lots 1-2, Block 2. In addition to screening, staff will work with the developer to limit the amount of light emitted on adjacent properties as a result of the proposed development.</li> </ol>		

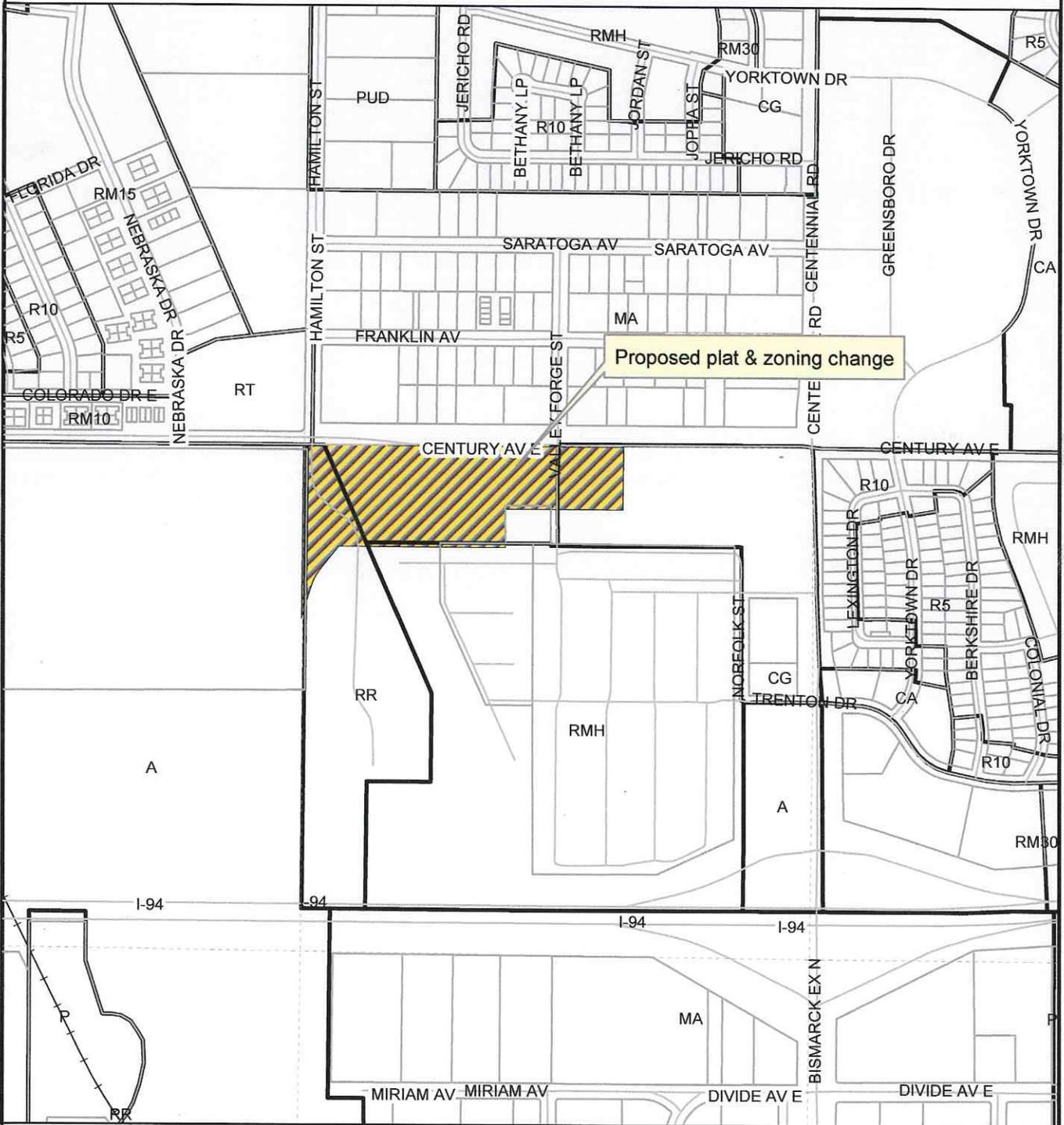
**FINDINGS:**

1. The proposed subdivision is consistent with the Land Use Plan, which identifies the long range use of this area as industrial and commercial (Bismarck-Mandan Future Regional Land Use Plan).
2. The proposed zoning change would not place an undue burden on public services.
3. The proposed subdivision would be generally compatible with adjacent land uses, provided the necessary landscape buffer areas are installed in conjunction with development of each lot in the proposed development. Adjacent land uses include cemetery land to the west, industrial development to the north, undeveloped, commercially-zoned property to the east and single-family dwellings to the south.
4. The proposed zoning change would not adversely affect the adjacent properties, provided the necessary landscape buffer yards are installed in conjunction with development each lot within the development.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
6. The proposed zoning change is consistent with the master plan; other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

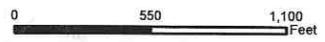
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the MA-Industrial zoning district and the RR-Residential zoning district to the MA-Industrial zoning district for Lots 1 and 2, Block 2 and to the CG-Commercial zoning district for Lot 1, Block 1, Revolutionary Addition, with the understanding that a public hearing will not be scheduled until such time as staff is supportive of the plans for the required buffer yard along the south side of Block 2 adjacent to the existing single-family dwellings within Mr. B's West Addition.

# Proposed Plat & Zoning Change (RR, RMH, CG & MA to RR, CG & MA) Revolutionary Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: February 29, 2012 (klee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

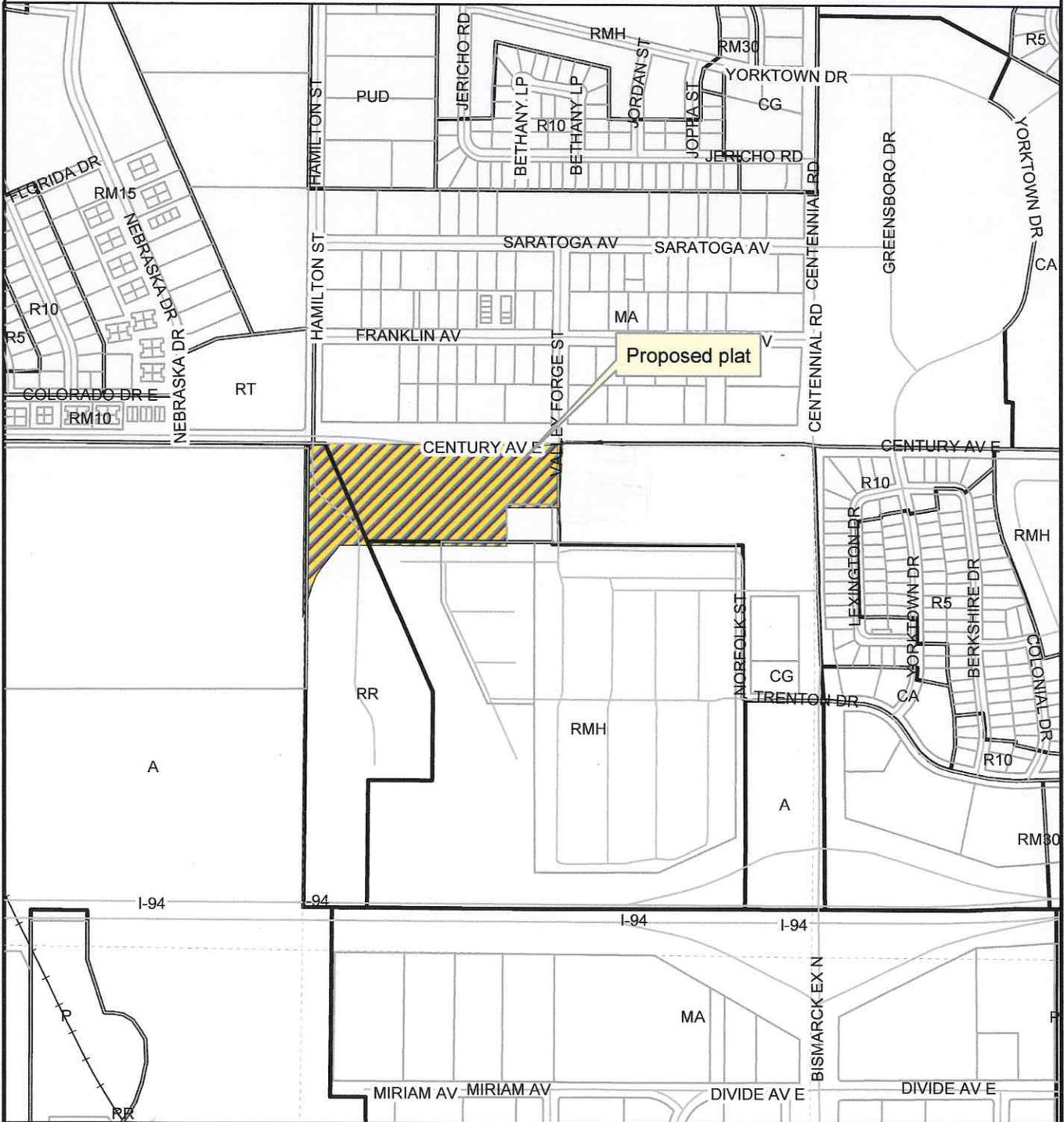
<b>BACKGROUND:</b>		
<b>Title:</b> Revolutionary Addition – Preliminary Plat		
<b>Status:</b> Planning Commission - Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> JETM, LLP (Block 2) City of Bismarck (Block 1)	<b>Engineer:</b> Bartlett & West	
<b>Reason for Request:</b> To allow for future development of industrial and commercial lots.		
<b>Location:</b> In northeast Bismarck, along the south side of Century Avenue approximately ¼ mile west of Centennial Road. (A replat of Auditor's Lot A of the NE ¼, Auditor's Lot A of Tract 4, Auditor's Lot A of Lot 3, Block 1, Mr. B's West Addition and part of Tract 3 in the NE ¼ of Section 26, T139N-R80W – Hay Creek Township).		
<b>Project Size:</b> 17.80 acres	<b>Number of Lots:</b> 8 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Industrial, Commercial and City stormwater facilities	
<b>Zoning:</b> MA – Industrial (Block 2) RR – Residential (Block 1)	<b>Zoning:</b> MA – Industrial (Block 2) CG – Commercial (Block 1)	
<b>Uses Allowed:</b> MA – Light industrial and commercial uses RR – Large lot single-family dwellings	<b>Uses Allowed:</b> MA – Industrial and commercial uses CG – General commercial and multi-family	
<b>Maximum Density Allowed:</b> MA – N/A RR – 1 unit per 65,000 square feet	<b>Maximum Density Allowed:</b> MA – N/A CG – 42 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1990	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
1. The City of Bismarck – Public Works Department owns Lot 1, Block 1 for the purpose of storm water detention and conveyance. The City of Bismarck intends to sell this property as the storm water facilities are in place and located within an easement. The remaining portion of the lot is considered to be developable property.		
<b>FINDINGS:</b>		
1. All technical requirements for consideration of the preliminary plat have been met.		
2. The proposed subdivision is outside the boundaries of the Fringe Area Road Master Plan.		
<i>(continued)</i>		

3. The proposed subdivision would be generally compatible with adjacent land uses provided the necessary landscape buffer areas are installed in conjunction with development of each lot in the proposed development. Adjacent land uses include cemetery land to the west, industrial development to the north, undeveloped, commercially-zoned property to the east and single-family dwellings to the south.
4. The proposed subdivision would not adversely affect the adjacent properties provided the necessary landscape buffer yard is installed in conjunction with development each lot within the development.
5. The City and other agencies would be able to provide necessary public services, facilities, and programs to serve the development allowed by the proposed subdivision at the time the property is developed.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.

**RECOMMENDATION:**

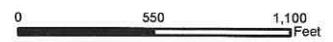
Based on the above findings, staff recommends tentative approval for Revolutionary Addition.

# Proposed Plat Revolutionary Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: February 29, 2012 (klee)

Source: City of Bismarck



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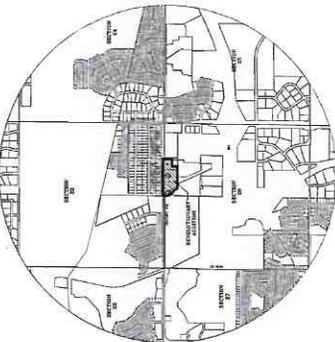
### PRELIMINARY PLAT OF REVOLUTIONARY ADDITION

A REPLAT OF AUDITOR'S LOT "A" OF THE NORTHEAST QUARTER, AUDITOR'S LOT "A" OF TRACT 4, AUDITOR'S LOT "A" OF LOT 3, AND BLOCK 1 OF MR. B'S WEST ADDITION, ALL IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 26, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA.

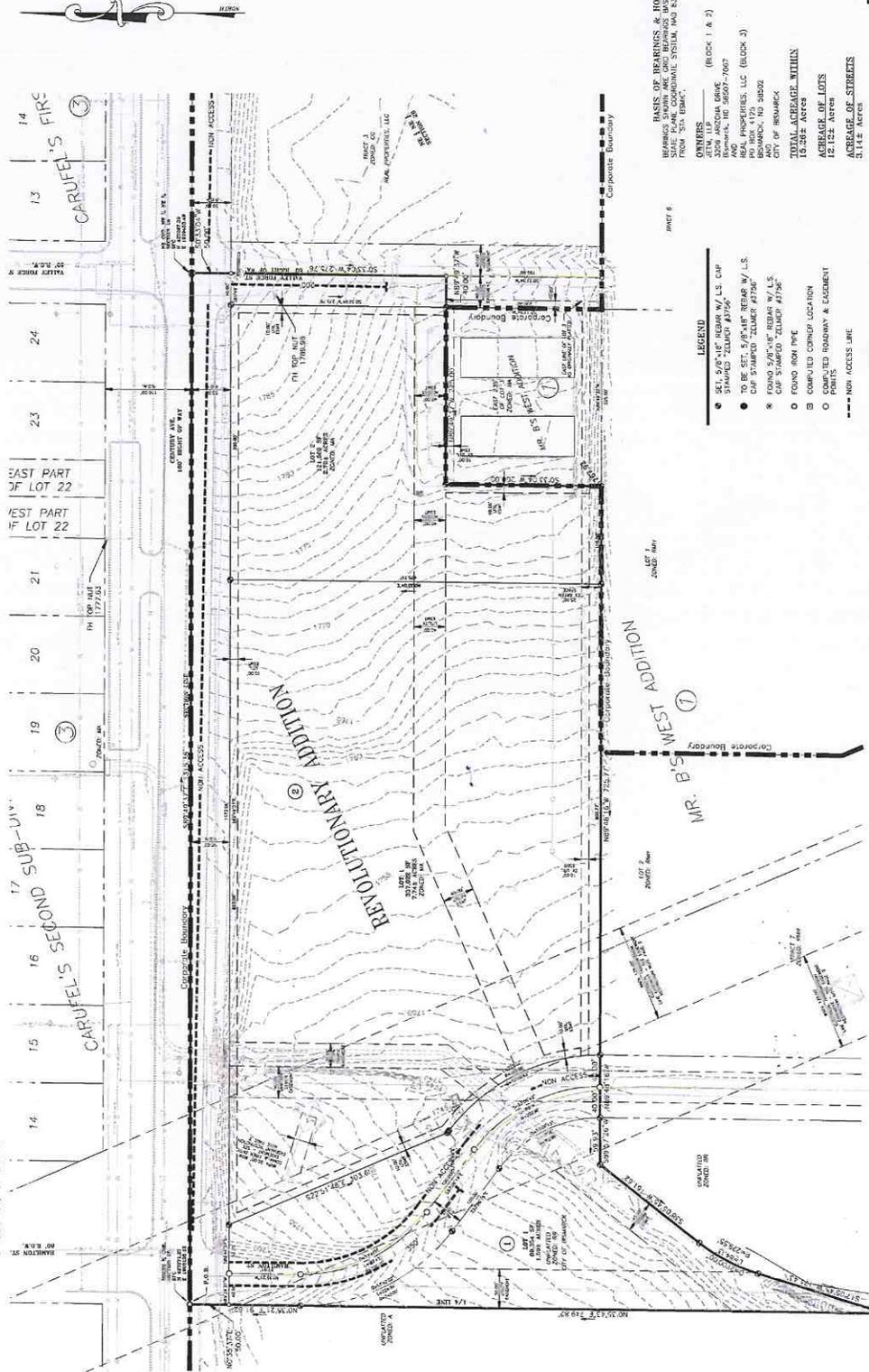
HEREAFTER TO BE KNOWN AS:

LOT 1, BLOCK 1; AND LOTS 1 & 2, BLOCK 2; OF REVOLUTIONARY ADDITION TO THE CITY OF BISMARCK, LYING IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 26, TOWNSHIP 139 NORTH, RANGE 80 WEST OF THE 5TH P.M., BURLEIGH COUNTY, NORTH DAKOTA.

LOCATION MAP  
N.T.S.



SECTION 26  
T 139 N, R 80 W



**BASE OF BEARINGS & HORIZONTAL DATUM**  
BEARINGS SHOWN ARE GROUND BEARINGS BASED ON THE NORTH DAKOTA  
STATE PLATONIC SYSTEM, NAD 83 SOUTH ZONE, REDUCED  
FROM TIA, BISMARCK.

**OWNERS**  
SHREVEOR (BLOCK 1 & 2)  
AT&T, L.P.  
12000 13th Ave SW  
Bismarck, ND 58502-7007

**AND**  
MR. B'S WEST ADDITION, LLC (BLOCK 3)  
PO BOX 4175  
BISMARCK, ND 58502  
CITY OF BISMARCK

**TOTAL ACRES WITHIN**  
19.282 Acres

**ACREAGE OF LOTS**  
12.122 Acres

**ACREAGE OF STREETS**  
3.112 Acres

**DATE**  
December 21, 2012

**PREPARED BY:**  
**BARTLEY & WEST**  
JAMES L. BARTLEY, Surveyor  
1000 13th Ave SW  
Bismarck, ND 58502-7007  
Phone: 701-755-1111  
Fax: 701-755-1111

- LEGEND**
- 5/16" x 1/2" REBAR W/ 1/2" CAP
  - 7/8" x 6" x 14" REBAR W/ 1/2" CAP
  - 7/8" x 6" x 14" REBAR W/ 1/2" CAP STAMPED 'ZELUDY #1756'
  - FOUND 5/8" x 3/4" REBAR W/ 1/2" CAP STAMPED 'ZELUDY #1756'
  - FOUND IRON PIPE
  - COMPUTED CORNER LOCATION
  - COMPUTED ROADWAY & EASEMENT POINTS
  - NON ACCESS LINE



VERTICAL DATUM  
THE CITY OF BISMARCK VERTICAL  
CONTROL NETWORK, NGVD83

RECEIVED  
DEC 21 2012

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
Title: Century Centennial Addition – Preliminary Plat		
Status: Planning Commission – Consideration	Date: January 23, 2013	
Owner(s): Pete Brendel (Lot 1) Daniel Development Partnership, LLLP (Lot 2)	Engineer: Swenson, Hagen & Company	
Reason for Request: Plat property for general commercial development.		
Location: In northeast Bismarck along the west side of Centennial Road and the south side of East Century Avenue (Tracts 2 & 3 less right-of-way as part of the NE1/4 of Section 26, T139N-R80W/Hay Creek Township).		
Project Size: 17.5 acres	Number of Lots: 2 lots in 1 block	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
Land Use: Undeveloped	Land Use: Commercial uses	
Zoning: CG- Commercial	Zoning: CG-Commercial	
Uses Allowed: CG – General commercial uses, multi-family dwellings and offices	Uses Allowed: CG – General commercial uses, multi-family dwellings and offices	
Maximum Density Allowed: CG – 42 units/acre	Maximum Density Allowed: CG – 42 units/acre	
<b>PROPERTY HISTORY:</b>		
Zoned: Pre-1980	Platted: N/A	Annexed: N/A
<b>ADDITIONAL INFORMATION:</b>		
<p>1. The City Traffic Engineer has expressed concerns with the lack of interconnectivity of public roadways within the proposed subdivision. The property is bounded by public rights-of-way along the north, east and west and a portion of the south boundaries of the plat. However, no additional right-of-way is being proposed within the subdivision at this time. Access to this site will not be allowed directly off East Century Avenue or Centennial Road. The general consensus of staff would be to consider private roadways within the development once proposed uses of the sight have been identified. The property would be subject to the City's site plan review requirements prior to any permits being issued for development of the property.</p>		
<b>FIDINGS:</b>		
<p>1. All technical requirements for consideration of a preliminary plat have been met.</p> <p>2. The proposed subdivision is outside the boundaries of the Fringe Area Road Master Plan.</p>		
<i>(continued)</i>		

3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include existing single-family residential and a hotel to the south, industrially-zoned property to the west which is currently being platted as Revolutionary Addition, industrial land uses to the north and single-family residential dwellings across Centennial Road to the east.
4. The proposed subdivision is not currently annexed; however annexation would be required prior to development. Therefore, the proposed subdivision would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity provided an appropriate 20-foot landscape buffer yard is installed along the south side of Lot 1, Block 1 in conjunction with site development.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

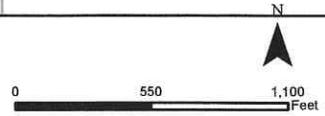
Based on the above findings, staff recommends tentative approval of the preliminary plat of Century Centennial Addition.

# Proposed Plat Century Centennial Addition



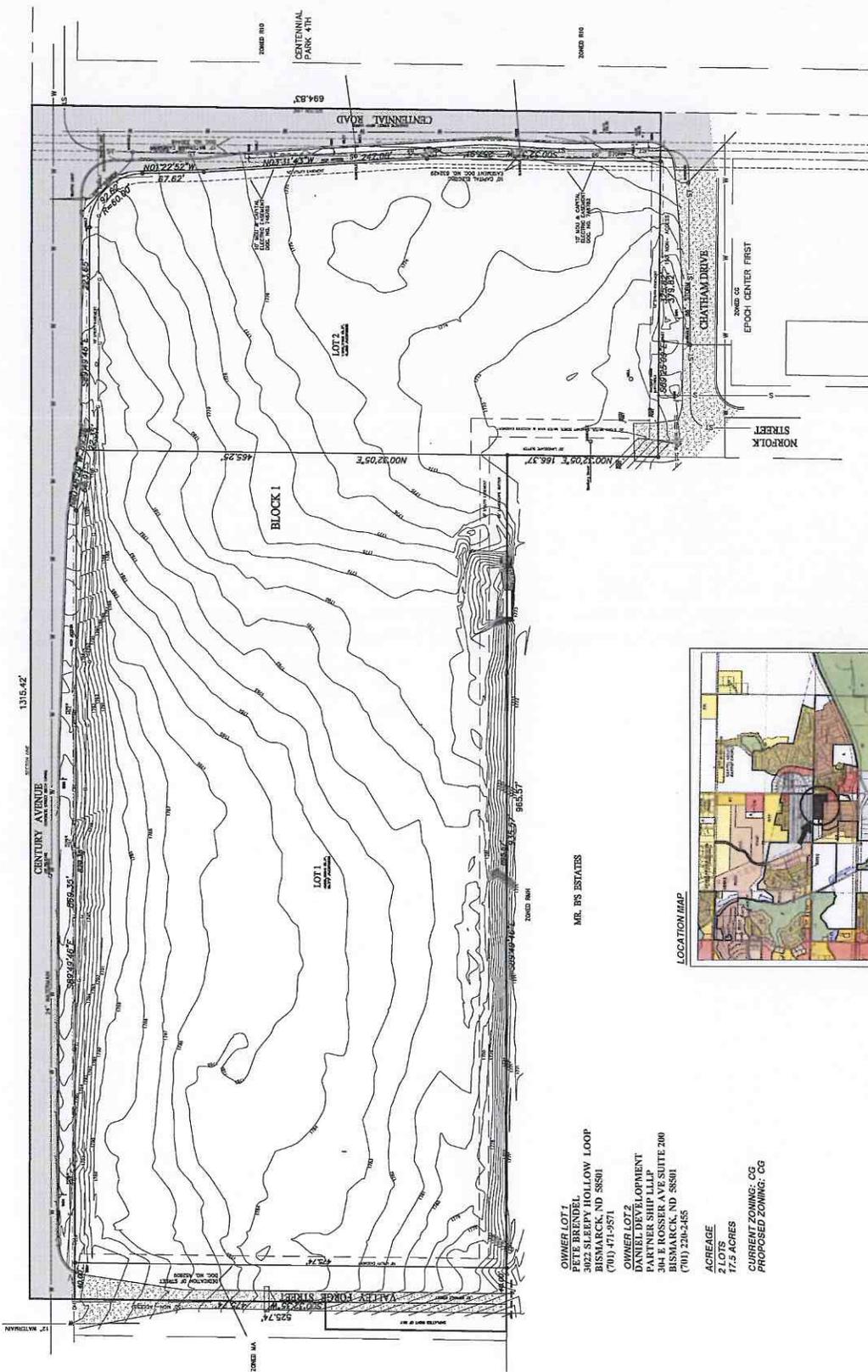
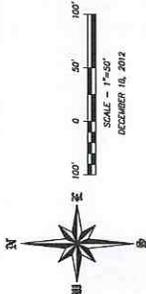
DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 24, 2012 (Idee)

Source: City of Bismarck



**PRELIMINARY PLAT  
CENTURY CENTENNIAL ADDITION  
TRACTS 2 & 3 LESS R/W  
PART OF THE NE1/4 SECTION 26, T. 139 N., R. 80 W.  
BISMARCK, NORTH DAKOTA**

**RECEIVED  
JAN 1 2013**

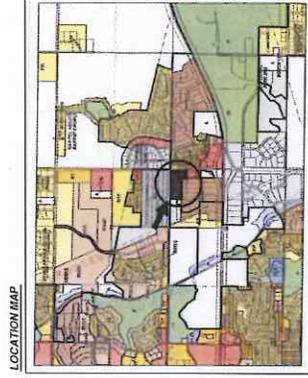


**OWNER LOT 1**  
MR. B'S ESTATES  
3022 SLEEPY HOLLOW LOOP  
BISMARCK, ND 58501  
(701) 471-9571

**OWNER LOT 2**  
DANIEL DEVELOPMENT  
PARTNER SHIP LLLP  
304 E ROSSER AVE SUITE 200  
BISMARCK, ND 58501  
(701) 230-2485

**ACREAGE**  
2 LOTS  
17.5 ACRES

**CURRENT ZONING: OS  
PROPOSED ZONING: CG**



**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

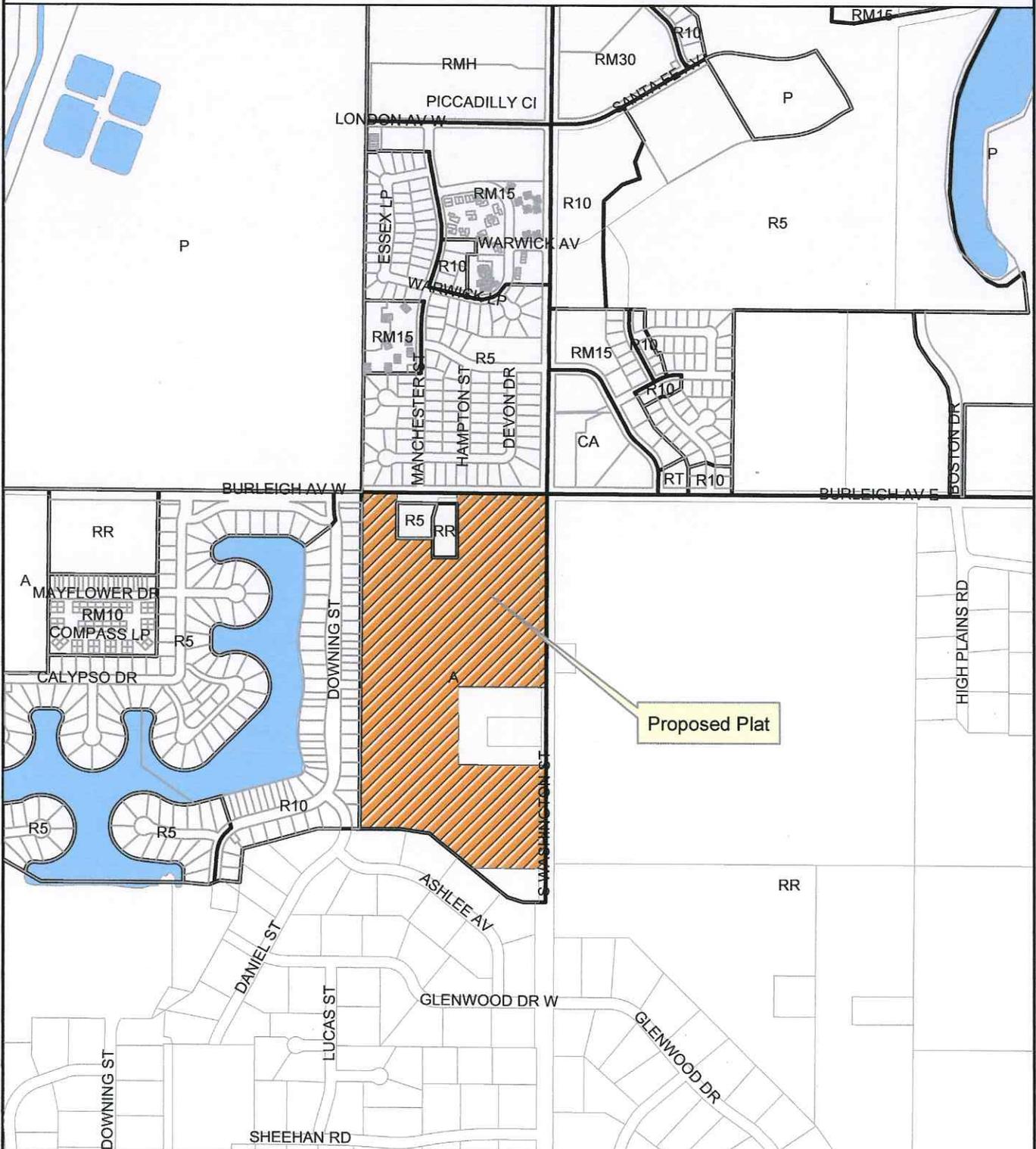
<b>BACKGROUND:</b>		
<b>Title:</b> South Meadows Addition – Zoning Change (A to R5, R10 and RM30)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Santa Fe, LLP – owner Wachter Development – applicant	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential development.		
<b>Location:</b> South of Burleigh Avenue and west of Washington Street (part of the E½ of the NE¼ of Section 20, T138N-R80W/Lincoln Township).		
<b>Project Size:</b> 65.8 acres	<b>Number of Lots:</b> 113 lots in 6 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Mixed density residential	
	<b>Zoning:</b> R5 – Residential R10 – Residential RM30 – Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM30 – Multi-family residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM30 – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The Land Use Plan identifies this area as urban residential (Bismarck-Mandan Regional Future Land Use Plan).</li> <li>2. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing one and two family residential to the west, single-family residential to the north, undeveloped agricultural land to the east, and rural residential to the south.</li> <li>3. The entire subdivision would be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services and facilities.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> </ol>		
<i>(continued)</i>		

5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

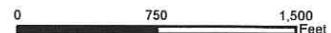
Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the A-Agricultural district to the R5-Residential, R10-Residential and RM30-Residential zoning districts for South Meadows Addition.

# Proposed Plat and Zoning Change (A to R5, R10 & RM30) South Meadows Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: January 15, 2012 (klee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> South Meadows Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Santa Fe, LLP – owner Wachter Development – applicant	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential development.		
<b>Location:</b> South of Burleigh Avenue and west of Washington Street (part of the E½ of the NE¼ of Section 20, T138N-R80W/Lincoln Township).		
<b>Project Size:</b> 65.8 acres	<b>Number of Lots:</b> 113 lots in 6 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Mixed density residential	
	<b>Zoning:</b> R5 – Residential R10 – Residential RM30 – Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM30 – Multi-family residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM30 – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>ADDITIONAL INFORMATION:</b>		
<p>1. The plat will include two storm water management facilities. There is an existing wetland on Lot 29, Block 6, that will continue to be used as an infiltration/retention pond. There is also a new retention pond proposed for Lot 2, Block 2. Because the proposed plat is within 10,000 feet of the operations area of the Bismarck Municipal Airport and the proposed ponds would be classified as wildlife attractants because they will hold water for more than 48 hours, the proposed plat is subject to the provisions of FAA Advisory Circular 150/5200-33B, “Hazardous Wildlife Attractants On or Near Airports.” In accordance with the provisions of this circular, a Hazardous Wildlife Opinion for the development will need to be prepared and submitted prior to a public hearing being scheduled on the final plat.</p>		
<b>FINDINGS:</b>		
<p>1. All technical requirements for consideration of a preliminary plat have been met.</p>		

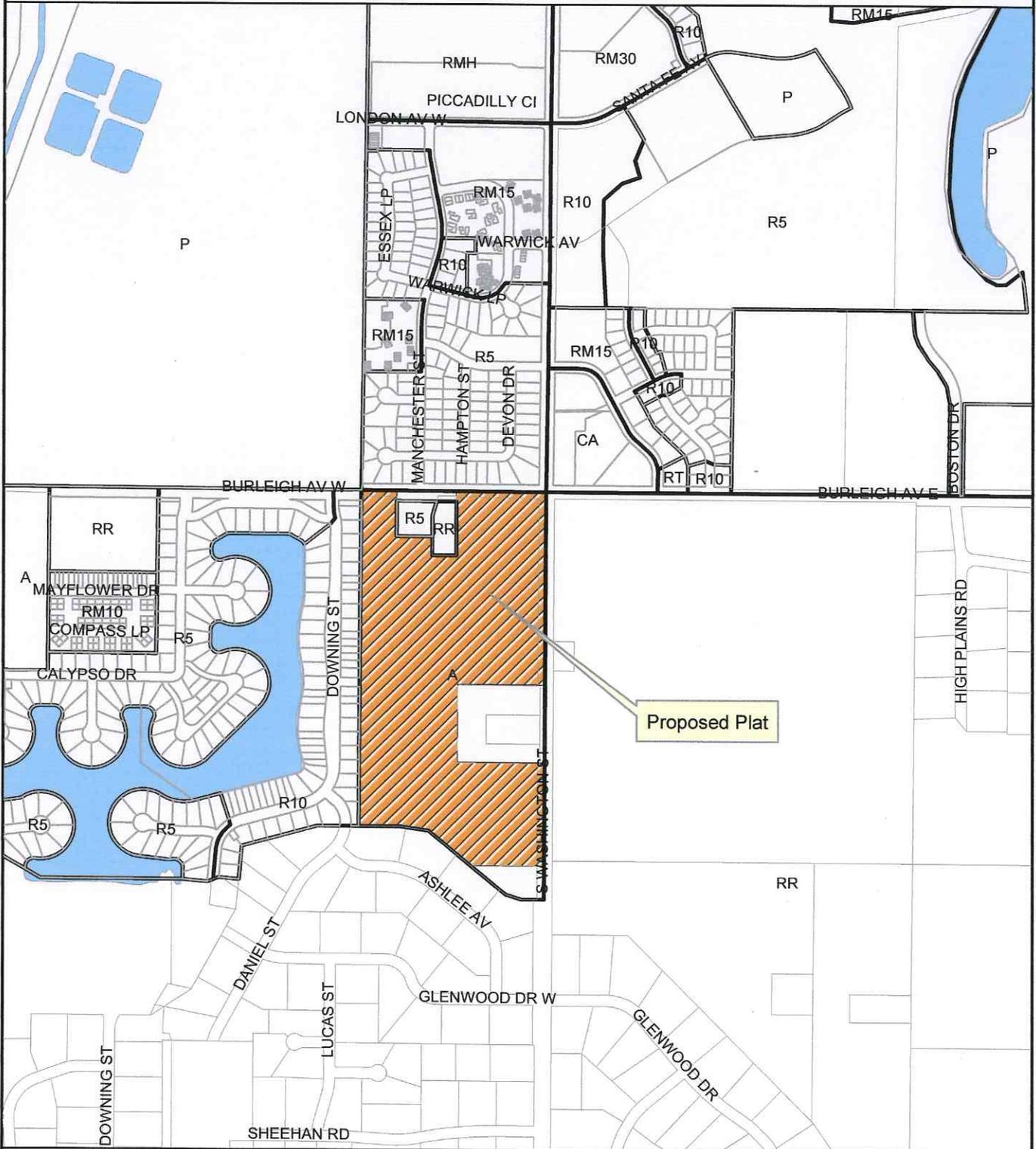
(continued)

2. The proposed subdivision generally conforms to the Fringe Area Road Master Plan for this area, which identifies Downing Street to the west of this plat as the north-south collector for this section and Glenwood Drive to the south of this plat as the east-west collector for this section.
3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing one and two family residential to the west, single-family residential to the north, undeveloped agricultural land to the east, and rural residential to the south.
4. The entire subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

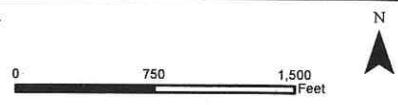
Based on the above findings, staff recommends tentative approval of the preliminary plat of South Meadows Addition, with the understanding that a public hearing on the final plat will not be scheduled until a Hazardous Wildlife Opinion for the development is provided in accordance with the provisions of FAA Advisory Circular 150/5200-33B "Hazardous Wildlife Attractants On or Near Airports". Until such an opinion is prepared and submitted, it is unclear whether or not the proposed development will have an impact on the operation of the Bismarck Municipal Airport.

# Proposed Plat and Zoning Change (A to R5, R10 & RM30) South Meadows Addition



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Map was Updated/Created: January 15, 2012 (Klee)

Source: City of Bismarck



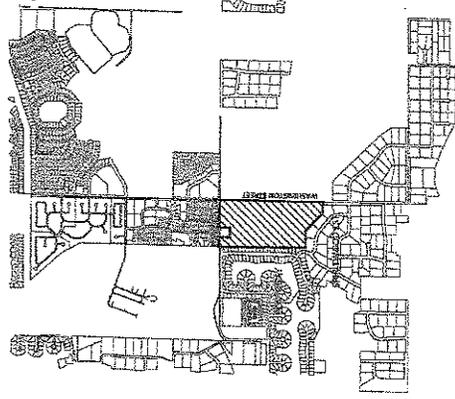
Preliminary Plat  
**SOUTH MEADOWS**  
 PART OF THE NE 1/4 OF SECTION 20, T. 138 N., R. 80 W.  
 BISMARCK NORTH DAKOTA

WACHTER DEVELOPMENT  
 P.O. BOX 520  
 BISMARCK, ND 58502  
 223-2200  
 TOTAL ACREAGE - 65.8 ACRES  
 115 LOTS  
 PROPOSED ZONING - R5, RT0, RM  
 FLOOD PLAIN ELEVATION 1536.0

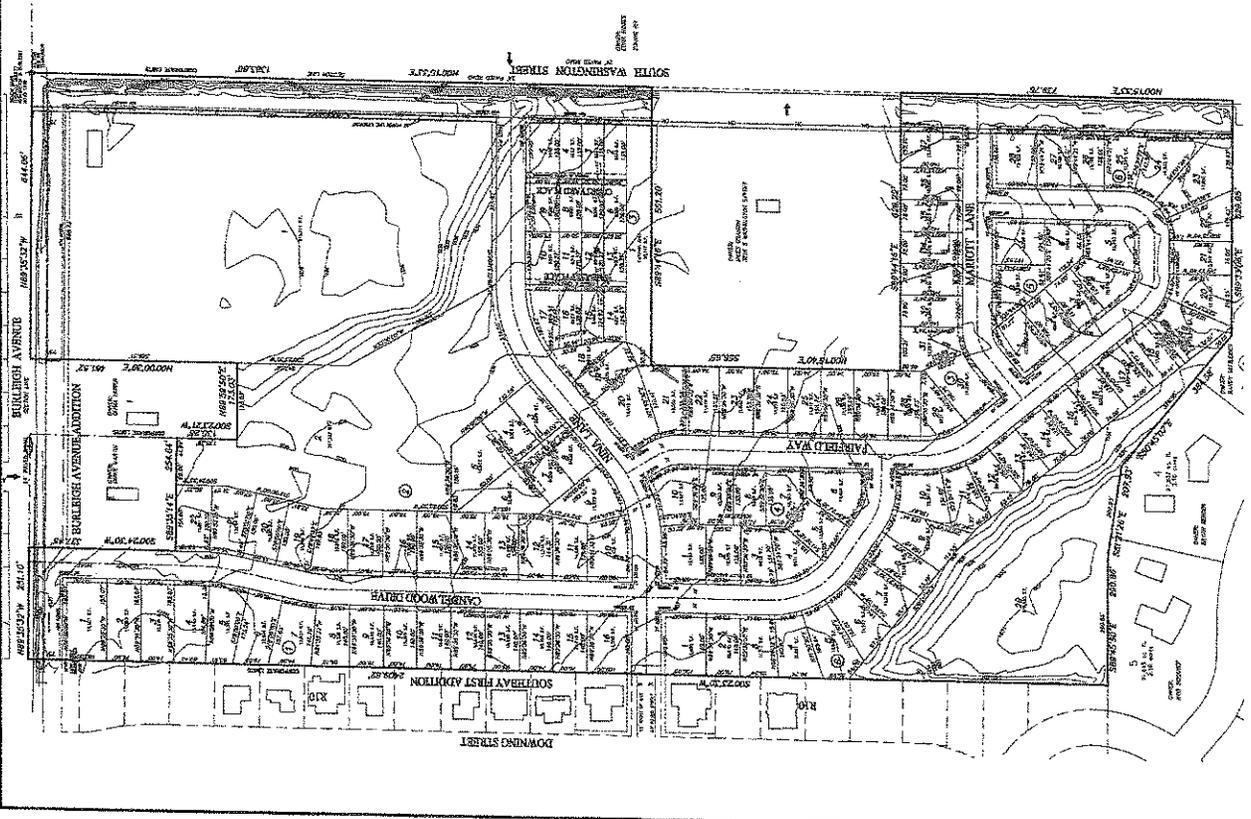


Scale 1"=100'  
 JANUARY 18, 2013  
 BATHOL 1048 1935  
 BISMARCK  
 100' OF NORTH 1/4 SECTION 20  
 100' OF R. 80 W.

LOCATION MAP



SWENSON, HAGEN & COMPANY, P.C.  
 1000 14th Street, Suite 100  
 Bismarck, ND 58502  
 701.223.2200  
 www.swhc.com



**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

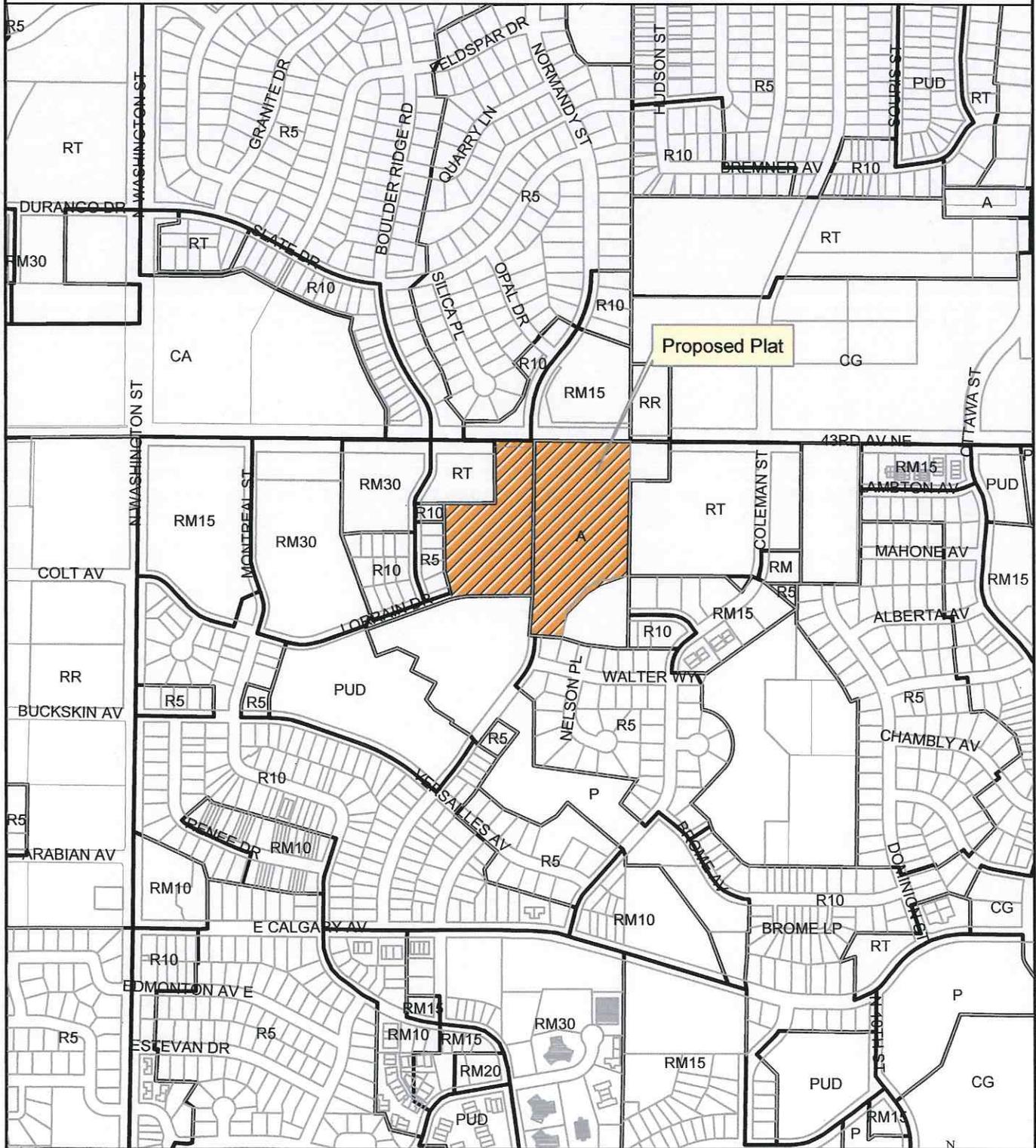
<b>BACKGROUND:</b>		
<b>Title:</b> Kilber North 2 <sup>nd</sup> Addition – Zoning Change (A to R5, R10, RM10 and RT)		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Gary Nelson – owner Kilber Development, LLC – applicant	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential and office development.		
<b>Location:</b> South of 43 <sup>rd</sup> Avenue NE between North Washington Street and US Highway 83 (Tract L and Tract X-1 of the NW¼ of Section 21, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 17.65 acres	<b>Number of Lots:</b> 23 lots in 2 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Mixed density residential and office uses	
<b>Uses Allowed:</b> A – Agriculture	<b>Zoning:</b> R5 – Residential R10 – Residential RM10 – Residential RT - Residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM10 – Multi-family residential RT – Multi-family residential and offices	
	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM10 – 10 units/acre RT – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> Partial – 06/07
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>The proposed zoning change is outside of the area covered by the Land Use Plan.</li> <li>The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developing mixed density residential and office uses to the west, P-Public zoned open space and developing one and two-family residential to the south, mixed density residential and office uses to the east, and developing mixed density residential to the north across 43<sup>rd</sup> Avenue NE.</li> <li>The entire subdivision would be annexed prior to development; therefore, the proposed zoning change would not place an undue burden on public services and facilities.</li> </ol>		
<i>(continued)</i>		

4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends scheduling a public hearing on the zoning change from the A-Agricultural zoning district to the R5-Residential, R10-Residential, RM10-Residential and RT-Residential zoning districts for Kilber North 2<sup>nd</sup> Addition.

# Proposed Plat and Zoning Change (A to R5, R10, RM10 & RT) Kilber North 2nd Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: December 24, 2012 (Klee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> Kilber North 2 <sup>nd</sup> Addition – Preliminary Plat		
<b>Status:</b> Planning Commission – Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Gary Nelson – owner Kilber Development, LLC – applicant	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat and zone property for mixed density residential and office development.		
<b>Location:</b> South of 43 <sup>rd</sup> Avenue NE between North Washington Street and US Highway 83 (Tract L and Tract X-1 of the NW¼ of Section 21, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 17.65 acres	<b>Number of Lots:</b> 23 lots in 2 blocks	
<b>EXISTING CONDITIONS:</b>		
<b>Land Use:</b> Undeveloped	<b>PROPOSED CONDITIONS:</b>	
<b>Zoning:</b> A – Agricultural	<b>Land Use:</b> Mixed density residential and office uses	
<b>Uses Allowed:</b> A – Agriculture	<b>Zoning:</b> R5 – Residential R10 – Residential RM10 – Residential RT - Residential	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Uses Allowed:</b> R5 – Single-family residential R10 – One- and two-family residential RM10 – Multi-family residential RT – Multi-family residential and offices	
	<b>Maximum Density Allowed:</b> R5 – 5 units/acre R10 – 10 units/acre RM10 – 10 units/acre RT – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> Partial – 06/07
<b>ADDITIONAL INFORMATION:</b>		
<p>1. The applicant is requesting the use of a cul-de-sac for this development and has submitted written justification for this request. Section 14-09-05(1)(m) of the Subdivision Regulations (Design Standards) states, “The use of cul-de-sac streets shall be limited in order to promote a well-connected street network that provides for safe, direct and convenient access by vehicles, bicycles, and pedestrians. Cul-de-sac streets may be permitted in instances where there is no reasonable opportunity to provide for future connections to adjoining streets, including natural barriers such as topography or water features, man-made barriers such as railroad tracks, or to discourage through traffic between incompatible land uses. Detailed written justification for the use of cul-de-sac streets in proposed subdivision plats shall be provided as part of the plat application process.” Based on these criteria, staff has no objection to the use of a cul-de-sac in this location, as low density residential uses are proposed immediately adjacent to office uses.</p>		

(continued)

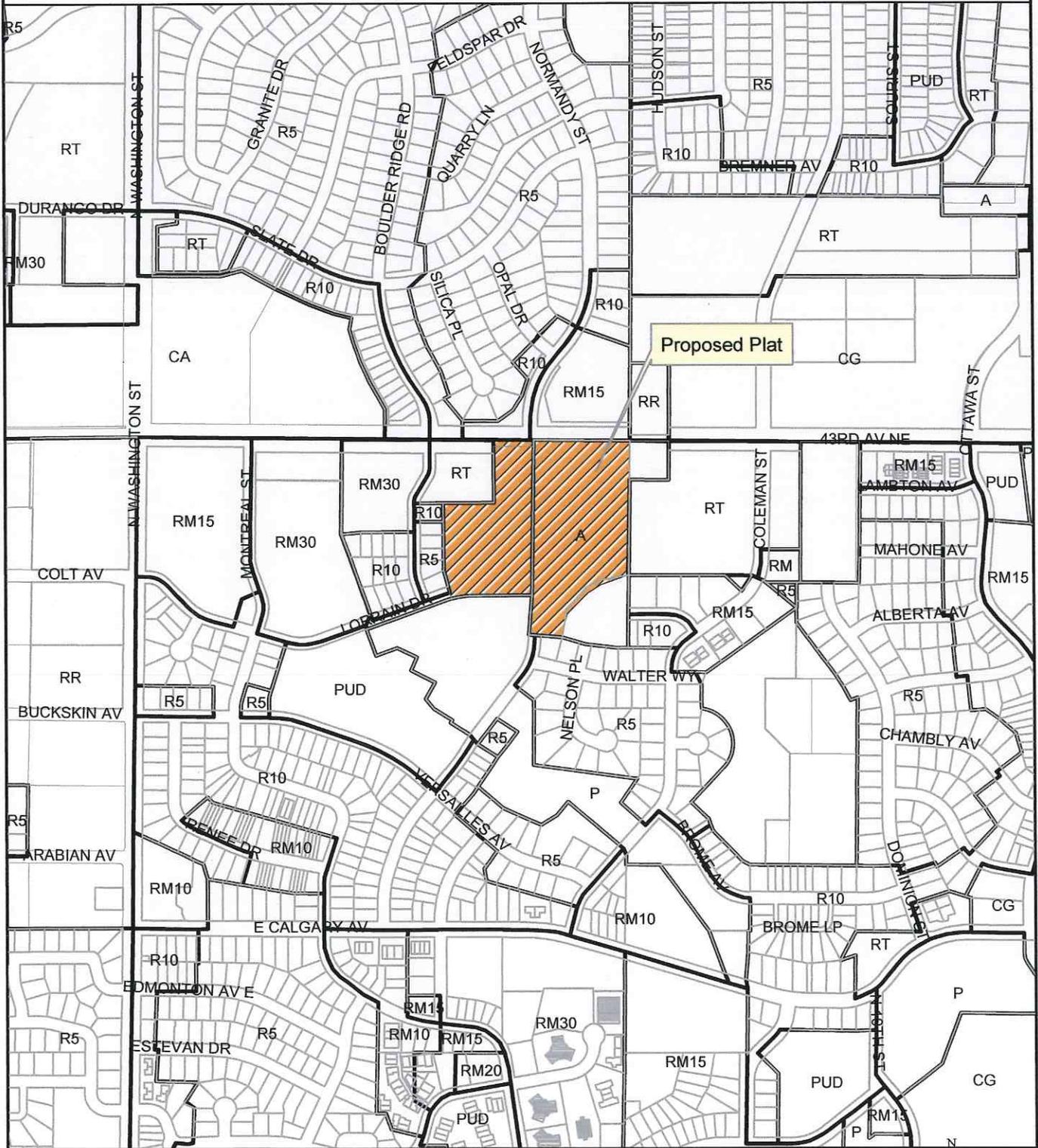
**FINDINGS:**

1. All technical requirements for consideration of a preliminary plat have been met.
2. The proposed subdivision generally conforms to the Fringe Area Road Master Plan for this area, which identifies 43<sup>rd</sup> Avenue NE as an arterial roadway. Normandy Street is classified as a collector to the north across 43<sup>rd</sup> Avenue NE.
3. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing mixed density residential and office uses to the west, P-Public zoned open space and developing one and two-family residential to the south, mixed density residential and office uses to the east, and developing mixed density residential to the north across 43<sup>rd</sup> Avenue NE.
4. The entire subdivision would be annexed prior to development; therefore, it would not place an undue burden on public services and facilities.
5. The proposed subdivision would not adversely affect property in the vicinity.
6. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
7. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

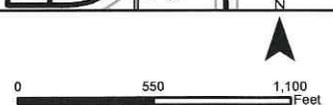
Based on the above findings, staff recommends tentative approval of the preliminary plat of Kilber North 2<sup>nd</sup> Addition and granting a waiver to allow the use of a cul-de-sac in Block 1.

# Proposed Plat and Zoning Change (A to R5, R10, RM10 & RT) Kilber North 2nd Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
 Map was Updated/Created: December 24, 2012 (klee)

Source: City of Bismarck



RECEIVED

# KILBER NORTH 2ND ADDITION

TRACT L & TRACT X-1 OF THE NW1/4  
SECTION 21, T. 139 N., R. 80 W.

BISMARCK, NORTH DAKOTA

KILBER DEVELOPMENT LLC  
7825 PARK CIRCLE NE  
OTSEGO, MN 55330  
701-250-0521

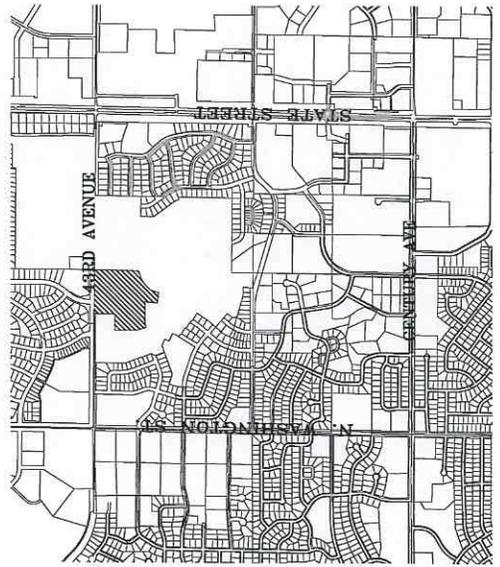
17.65 ACRES  
EXISTING ZONING - A  
PROPOSED ZONING - RM10, R10, RS & RT  
23 LOTS



SCALE - 1"=60'  
0 30 60 90  
DECEMBER 18, 2012

NO0028

## LOCATION MAP



SWENSON, HAGEN & COMPANY P.C.  
1007 14th Avenue S.E. Box 1135  
Bismarck, North Dakota 58505  
Phone (701) 251-2600  
Fax (701) 251-2606  
www.swhc.com  
Site Planning  
Landscape & Site Design  
Construction Management

JAN 1 1 2013



## SWENSON, HAGEN & CO. P.C.

civil engineering . surveying . land planning . hydrology  
landscape & site design . construction management

January 15, 2013

Kim Lee  
Community Development  
221 N. 5<sup>th</sup> Street  
Bismarck, ND 58506-5503

RE: Kilber North Second Addition - Request for the use of a cul de sac

The plat of Kilber North Second Addition will require the use of a cul de sac. The necessity for limited access on to 43<sup>rd</sup> Avenue creates distances between the intersection of Boulder Ridge Drive and Normandy Street that are easily subdivided into large lot office or multi family uses. However adjoining those uses to the south are proposed twin home and single family uses. These smaller lots make it difficult to space streets appropriately and transition from the large lots along 43<sup>rd</sup> Avenue to the residential development within the subdivision. The design requires a cul de sac.

Across the street could be used to connect Patio Home Place to Normandy Street if grading allowed that connection. However the 30 feet of vertical grade between Lorrain Drive and 43<sup>rd</sup> Avenue will require a grading transition area to absorb part of the vertical difference and make the lots along Patio Home Place suitable for twin home construction. That grading transition will occur along the lot line between the office/multi-family lots and the twin home lots. A steep slope will need to be constructed in this area to absorb some of the 30 feet of vertical difference and thus preventing the cross street from being constructed at that location.

Sincerely,

David Patience, AICP



# CITY OF BISMARCK Ordinance No. XXXX

<i>First Reading</i>	_____
<i>Second Reading</i>	_____
<i>Final Passage and Adoption</i>	_____
<i>Publication Date</i>	_____

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 14-02-03, 14-03-07, 14-03-08, 14-03-10, 14-04-01, 14-04-01.1, 14-04-03, 14-04-06, 14-04-07, 14-04-08, 14-04-09, 14-04-10, 14-04-12, 14-04-13, 14-04-17, AND 14-04-21 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO DAY CARE PROVISIONS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 14-02-03 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Definitions is hereby amended and re-enacted to read as follows:

14-02-03. Definitions. The following definitions represent the meanings of terms as they are used in these regulations:

\* \* \* \* \*

Adult care facility. A free-standing facility providing care for more than twelve (12) frail, physically, cognitively and/or functionally impaired adults in a protective setting for less than twenty-four (24) hours per day. An adult care facility may also be located within a hospital, care center or nursing home as an accessory use. Educational and training programs for cognitively and/or functionally impaired adults in a protective setting for less than twenty-four (24) hours per day is not defined as an adult care facility.

\* \* \* \* \*

Day-care Child care center: Any Also known as a day care center, a child care center is a free-standing

facility offering care, maintenance, and supervision for hire or compensation, for less than twenty four (24) hours per day, for more than twelve (12) clients by other than relatives or legal guardians children under the age of twelve (12) years, for less than twenty four hours per day, and licensed by the North Dakota Department of Human Services as an early childhood program. Child care facilities operated services provided in connection with a church, shopping center, business, or other establishment where children are cared for during periods of time not exceeding four continuous hours while the child's parent, guardian, or custodian is attending church services, shopping, or engaged in other activities, other than employment, on or near the premises, shall not be considered a day-care center. The following shall not be considered a child care center: 1) child care provided in any educational facility, whether public or private, in grade one or above; 2) child care, preschool, kindergarten, and pre-kindergarten services provided to children under six (6) years of age in any educational facility through a program approved by the North Dakota Superintendent of Public Instruction; 3) child care provided in facilities operated in connection with a religious facility, business, or organization where children are cared for during periods of time not exceeding four (4) continuous hours while the child's parent, guardian or custodian is attending religious services or is engaged in other activities on the premises; 4) schools or classes for religious instruction conducted by religious orders, Sunday schools, weekly catechism or other classes for religious instruction; 5) sporting events, practices for sporting events, or sporting or physical activities conducted under the supervision of an adult; and 6) child care provided in a medical facility by medical personnel to children who are ill.

*Reference: ND Dept of Human Services Manual, Policies and Procedures for Early Childhood Services, p. 21 of Manual Letter No. 2546.*

\* \* \* \* \*

Family child care: A detached single family dwelling, which also serves as the primary residence of the operator/provider, offering care, maintenance and supervision for hire or compensation, for less than twenty-four (24) hours per day, for no more than twelve (12) children under the age of twelve (12) years, including any children of the operator/provider on the premises that are under the age of twelve (12) years, and generally licensed

by the North Dakota Department of Human Services as an early childhood program. Family child care is considered an accessory use to the principal use of the property as single family detached residential dwelling.

\* \* \* \* \*

~~Group day care : A detached single family dwelling, which also serves as the primary residence of the operator of the daycare, offering care, maintenance and supervision for hire or compensation, for less than twenty four (24) hours per day, for at least eight (8) but not more than twelve (12) children under the age of twelve (12) years, having a fenced outdoor recreation area, and licensed by the North Dakota Department of Human Services as a group day care facility.~~

\* \* \* \* \*

Section 2. Amendment. Section 14-03-07 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Use Groups is hereby amended and re-enacted to read as follows:

14-03-07. Use Groups. In order to carry out the purposes of this title, certain uses having similar characteristics are classified together as "use groups". In any district in which a use group is permitted, it is the intent of this title to permit any particular member of that use group to be located within that district. In any district in which a use group is not listed as a permitted use, it is the intent of this title to prohibit each and every member of that use group from locating within that district. These use groups shall apply to all zoning districts except the Downtown Core and Downtown Fringe district.

\* \* \* \* \*

9. Health-medical group. A use in the health-medical group is one in which the principal activity is related to the care or medical treatment of human beings and the training of medical staff. The following uses are declared to be typical uses in the health-medical group:

\* \* \* \* \*

d. ~~Day care for adults or disabled persons~~  
~~Adult care facility.~~

Section 3. Amendment. Section 14-03-08 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Special Uses is hereby amended and re-enacted to read as follows:

14-03-08. Special Uses.

\* \* \* \* \*

4. Permanent uses (planning commission approval). The city planning and zoning commission is authorized to grant special use permits for the following uses:

\* \* \* \* \*

q. ~~Day care~~ Child Care Center. ~~Day care~~ Child care centers may be permitted as a special use in all zoning districts except RMH or MB districts, provided:

1) Each building shall provide not less than thirty-five (35) square feet of interior recreation area per client child. Work areas, office areas, and other areas not designed for use of the clients children may not be counted in this computation.

2) Each lot shall provide an outdoor recreation area of not less than ~~forty (40)~~ seventy-five (75) square feet per client child. The recreation area shall be fenced, and have a minimum width of twenty (20) feet, a minimum depth of twenty (20) feet, be located on the same lot or parcel of land as the facility it is intended to serve, and must be located behind the building setback lines. Recreation areas shall be required only for those clients under twelve (12) years of age.

3) Adequate off street parking shall be provided at the following ratio: One space

for each ~~two~~ employees and one space for each ten (10) ~~clients~~ children.

~~4) Every sleeping room shall have at least one openable window or door approved for emergency escape or rescue.~~

5) ~~Day-care~~ Child care centers shall conform to all applicable requirements of the Uniform International Building Code and The Uniform International Fire Codes which have been as adopted by the City of Bismarck (Title 4 of the City Code of Ordinances - Building Regulations), and all requirements of the North Dakota Department of Human Services.

6) Child care centers shall comply with all applicable requirements relating to health and sanitation that have been adopted by the City of Bismarck (Title 8 of the City Code of Ordinances - Health and Sanitation), and all requirements of the North Dakota Department of Health.

\* \* \* \* \*

Section 4. Amendment. Section 14-03-10 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Off-Street Parking and Loading is hereby amended and re-enacted to read as follows:

14-03-10. Off-Street Parking and Loading.

1. Off-street parking.

\* \* \* \* \*

p. Day Child care center: One space for each employee and one space for each ten (10) children.

\* \* \* \* \*

Section 5. Amendment. Section 14-04-01 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RR

Residential District is hereby amended and re-enacted to read as follows:

14-04-01. RR Residential District. In any RR residential district, the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted.

\* \* \* \* \*

g. Family child care.

The following special uses are permitted as per Section 14-03-08 hereof:

- a. Day Child care centers.
- b. Church.
- ~~c. Group day care.~~

Section 6. Amendment. Section 14-03-10.1 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RR5 Residential District is hereby amended and re-enacted to read as follows:

14-04-01.1. RR5 Residential District. In any RR5 residential district, the following regulations shall apply:

2. Uses permitted. The following uses are permitted.

\* \* \* \* \*

g. Family child care.

\* \* \* \* \*

The following special uses are permitted as per Section 14-03-08 hereof:

- a. Day Child care centers.

b. Church.

~~c. Group day care.~~

Section 7. Amendment. Section 14-04-03 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the R5 Residential District is hereby amended and re-enacted to read as follows:

14-04-03. R5 Residential District. In any R5 residential district the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

- a. Single-family dwelling.
- b. Education group.
- c. Public recreation group.
- d. Family foster home for adults.
- e. ~~Group day care~~ Family child care.

The following special uses are permitted as per Section 14-03-08 hereof:

- a. ~~Day care~~ Child care center.
- b. Church.

\* \* \* \* \*

Section 8. Amendment. Section 14-04-06 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the R10 Residential District is hereby amended and re-enacted to read as follows:

14-04-06. R10 Residential District. In any R10 residential district, the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

\* \* \* \* \*

g. ~~Group day-care~~ Family child care, when located in a detached single family dwelling.

The following special uses are permitted as per Section 14-03-08 hereof:

- a. ~~Day-care~~ Child care center.
- b. Church.

\* \* \* \* \*

Section 9. Amendment. Section 14-04-07 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RM Residential District is hereby amended and re-enacted to read as follows:

14-04-07. RM Residential District. In any RM residential district the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted

\* \* \* \* \*

~~h. Group day-care.~~

ih. Townhouses.

\* \* \* \* \*

The following special uses are permitted as per Section 14-03-08 hereof:

- a. ~~Day-care~~ Child care center.

b. Church.

\* \* \* \* \*

Section 10. Amendment. Section 14-04-08 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RT Residential District is hereby amended and re-enacted to read as follows:

14-04-08. RT Residential District. In any RT residential district the following regulations shall apply:

2. Uses permitted. The following uses are permitted.

\* \* \* \* \*

~~j. Group day care.~~

kj. Ancillary retail sales of material products directly related to the primary business such as hair care products being sold at a beauty shop or barber shop. Such product display areas shall not occupy more than 25% (twenty-five percent) of the gross floor area of the primary business.

\* \* \* \* \*

The following special uses are permitted as per Section 14-03-08 hereof:

- a. Church.
- b. Day-care Child care center.
- c. Mortuary/funeral homes.

\* \* \* \* \*

Section 11. Amendment. Section 14-04-09 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the HM Medical Facility District is hereby amended and re-enacted to read as follows:

14-04-09. HM Medical Facility District.

\* \* \* \* \*

2. Uses permitted. The following uses are permitted in HM medical facility districts:

\* \* \* \* \*

q. ~~Group day care.~~

The following special uses are permitted as per Section 14-03-08 hereof:

- a. ~~Day-care Child care~~ center.
- b. Church

Section 12. Amendment. Section 14-04-10 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the CA Commercial District is hereby amended and re-enacted to read as follows:

14-04-10. CA Commercial District. In any CA commercial district, the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

\* \* \* \* \*

~~j. Group day care.~~

The following special uses are permitted as per Section 14-03-08 hereof:

\* \* \* \* \*

f. ~~Day-care Child care~~ center.

\* \* \* \* \*

Section 13. Amendment. Section 14-04-12 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the CG

Commercial District is hereby amended and re-enacted to read as follows:

14-04-12. CG Commercial District. In any CG commercial district the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

\* \* \* \* \*

~~s. Group day care.~~

The following special uses are allowed as special uses pursuant to Section 14-03-08 hereof:

\* \* \* \* \*

h. ~~Day care Child care~~ center.

\* \* \* \* \*

Section 14. Amendment. Section 14-04-13 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the RR Residential District is hereby amended and re-enacted to read as follows:

14-04-13. CR Commercial District.

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

\* \* \* \* \*

~~f. Group day care.~~

The following uses are allowed under special uses pursuant to Section 14-03-08 hereof:

\* \* \* \* \*

e. Day-care Child care center.

\* \* \* \* \*

Section 15. Amendment. Section 14-04-14 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the MA Industrial District is hereby amended and re-enacted to read as follows:

14-04-13. MA Industrial District.

\* \* \* \* \*

2. Uses permitted. The following uses are permitted:

\* \* \* \* \*

The following uses are allowed as special uses pursuant to Section 14-03-08 hereof:

\* \* \* \* \*

s. Child care center.

\* \* \* \* \*

Section 16. Amendment. Section 14-04-17 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the A Agricultural District is hereby amended and re-enacted to read as follows:

14-04-17. "A" Agricultural District. In an A agricultural district, the following regulations shall apply:

\* \* \* \* \*

2. Uses permitted. The following uses are permitted.

\* \* \* \* \*

k. Group day-care Family child care.

The following special uses are allowed as per Section 14-03-08 hereof:

\* \* \* \* \*

n. ~~Day care center~~ Child care center.

\* \* \* \* \*

Section 17. Amendment. Section 14-04-21 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to the Downtown Districts is hereby amended and re-enacted to read as follows:

14-04-21. Downtown Districts.

\* \* \* \* \*

**Use Table.**

Proposed Use Category	Definition	Use Standards	District	
			DC	DF

\* \* \* \* \*

Institutional Uses				
--------------------	--	--	--	--

\* \* \* \* \*

Day Care <del>Child care</del>	Care, protection and supervision for children and adults on a regular basis away from their primary residence for less than 24 hours/day.			
<del>1-7 children or adults (family)</del> Family child care		X	---	P
<del>8-12 children or adults (group)</del>		X	---	P
<del>13+ children or adults (center)</del> Child care center		X	---	P SUP

\* \* \* \* \*

## 14-04-21.3 Use Categories.

\* \* \* \* \*

## 3. Institutional Uses.

\* \* \* \* \*

c. Day Child Care. Day Child care uses provide care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Examples include preschools, child care centers, nursery schools, and latch key programs and adult day care programs. Day Child care facilities providing care for one to seven no more than twelve (12) children or adults within a household single-family residence are classified as family day child care; facilities providing care for eight to 12 children or adults within a household are classified as group day care; and facilities providing care for more than twelve (12) children or adults is are classified as a child daycare centers. The following shall not be considered a child care center: 1) child care provided in any educational facility, whether public or private, in grade one or above; 2) child care, preschool, kindergarten, and pre-kindergarten services provided to children under six (6) years of age in any educational facility through a program approved by the North Dakota Superintendent of Public Instruction; 3) child care provided in facilities operated in connection with a religious facility, business, or organization where children are cared for during periods of time not exceeding four (4) continuous hours while the child's parent, guardian or custodian is attending religious services or is engaged in other activities on the premises; 4) schools or classes for religious instruction conducted by religious orders, Sunday schools, weekly catechism or other classes for religious instruction; 5) sporting events, practices for sporting events, or sporting or physical activities conducted under the supervision of an adult; and 6) child care

provided in a medical facility by medical personnel to children who are ill.

\* \* \* \* \*

14-04-21.4 Use Standards.

1. Day Child Care.

a. Family ~~and group~~ day child care shall be allowed only as an accessory use to a permitted detached single-family residential use which serves as the primary residence of the operator/provider.

b. Child day care centers shall provide not less than thirty-five (35) square feet of interior recreation area per elient child. Work areas, office areas, and other areas not designed for use of the elients children may not be counted in this computation.

c. Child day-care centers shall provide an outdoor recreation area of not less than seventy-five (75) square feet per elient child. The recreation area shall be fenced, and have a minimum width of twenty (20) feet, a minimum depth of twenty (20) feet, be located on the same lot or parcel of land as the facility it is intended to serve, and must be located behind the building setback lines. ~~Recreation areas shall be required only for those clients under twelve (12) years of age.~~

d. For child day care centers, adequate off street parking shall be provided at the following ratio: One space for each two employees and one space for each ten (10) elients children.

e. ~~For day care centers, every sleeping room shall have at least one openable window or door approved for emergency escape or rescue.~~

f. Child day-care centers shall conform to all applicable requirements of the City Building Code and the City Fire Code International

Building Code and the International Fire Code as adopted by the City of Bismarck (Title 4 of the City Code of Ordinances - Building Regulations), and all requirements of the North Dakota Department of Human Services.

g. Child care centers shall comply with all applicable requirements relating to health and sanitation that have been adopted by the City of Bismarck (Title 8 of the City Code of Ordinances - Health and Sanitation), and all requirements of the North Dakota Department of Health.

\* \* \* \* \*

Section 18. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 19. Effective Date. This ordinance shall take effect following final passage, adoption and publication after the required comment period under Section 40-47-01.1 of the North Dakota Century Code.

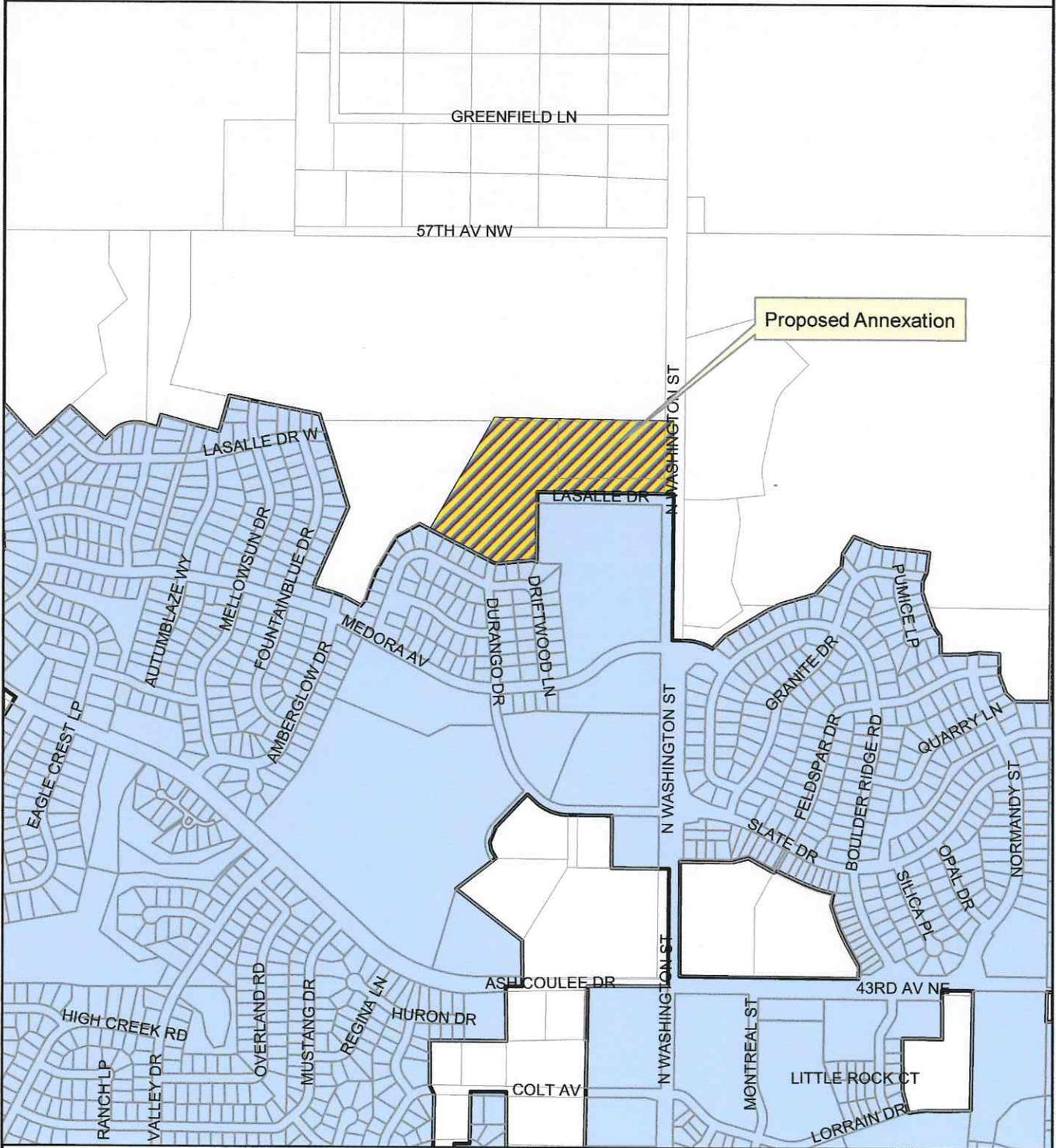
**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> BREI Estates First Addition – Annexation		
<b>Status:</b> Planning Commission – Final Consideration	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Randall & Shannon Bakke	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> To annex the first phase of development for mixed density residential and office development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE and along the west side of North Washington Street (part of the NE¼ of Section 17, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 23.08 acres	<b>Number of Lots:</b> 15 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Single, two & multi-family residential and office uses	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R10-Residential, RM10-Residential, RM15-Residential, RM30-Residential and RT-Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R10 – Single and two-family residential RM10 – Multi-family dwellings RM15 – Multi-family dwellings RM30 – Multi-family dwellings RT – Multi-family dwellings and office uses	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R10 – 10 units/acre RM10 – 10 units/acre RM15 – 15 units/acre RM30 – 30 units/acre RT – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The City and other agencies would be able to provide necessary public services, facilities and programs to serve the development allowed by the annexation at the time the property is developed.</li> <li>2. The proposed annexation would not adversely affect property in the vicinity.</li> <li>3. The proposed annexation is consistent with the general intent and purpose of Title 14 of the City Code of Ordinances.</li> <li>4. The proposed annexation is consistent with the master plan, other adopted plans, policies and planning practice.</li> </ol>		
<i>(continued)</i>		

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the annexation for Lots 1-3, Block 1, Lots 1-3, Block 2, Lot 1, Block 3 and Lots 1-8, Block 4, BREI Estates First Addition.

# Proposed Annexation Brei Estates First Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 21, 2012 (Mee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> BREI Estates First Addition – Zoning Change (A to R10, RM10, RM15, RM30 and RT)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> BREI Estates, LLLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat, zone and annex property for mixed density residential and office development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE/Ash Coulee Drive and along the west side of North Washington Street (part of the NE¼ of Section 17, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 23.08 acres	<b>Number of Lots:</b> 15 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Single, two & multi-family residential and office uses	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R10-Residential, RM10-Residential, RM15-Residential, RM30-Residential and RT-Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R10 – Single and two-family residential RM10 – Multi-family dwellings RM15 – Multi-family dwellings RM30 – Multi-family dwellings RT – Multi-family dwellings and office uses	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R10 – 10 units/acre RM10 – 10 units/acre RM15 – 15 units/acre RM30 – 30 units/acre RT – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>The proposed zoning change is consistent with the Land Use Plan, which identifies the use of this area as mixed-use and residential (land use portion of US Highway 83 Corridor Transportation Study).</li> <li>The proposed zoning change would be compatible with adjacent land uses, provided the R10-zoned lots are developed with twinhome structures to provide a transitional zoning buffer between the existing single-family dwellings and the proposed higher intensive land uses to the north. Adjacent land uses include a former church and single-family residential to the south and undeveloped property to the north, east and west. The former church property is zoned as a Planned Unit Development (PUD), which allows the adaptive reuse of the former church facility as multi-family development. The undeveloped property to the east has been identified as a future elementary school.</li> </ol>		
<i>(continued)</i>		

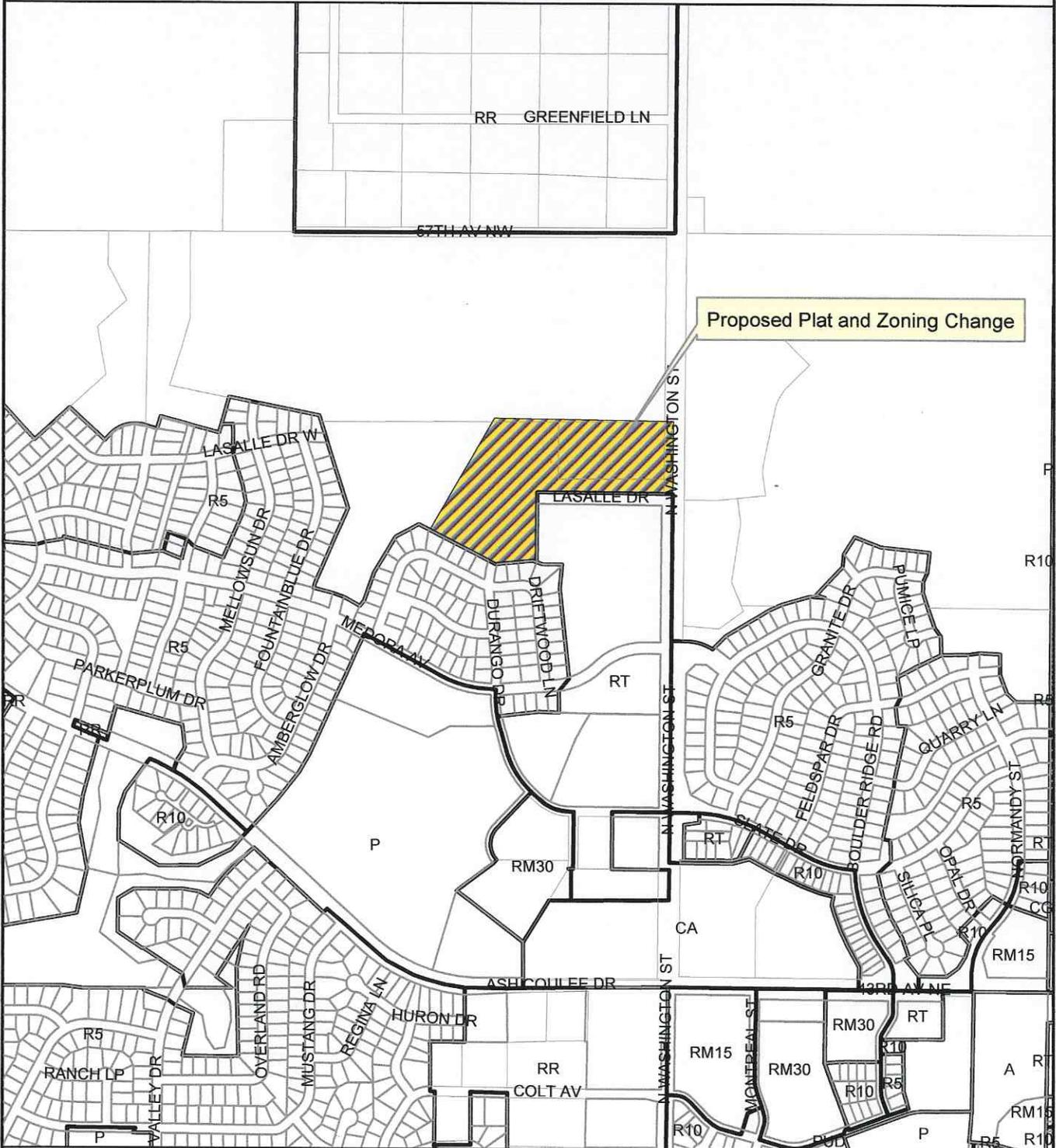
3. The subdivision proposed for the property would be annexed prior to development; therefore, the zoning change would not place an undue burden on public services and facilities.
4. The proposed zoning change would not adversely affect property in the vicinity.
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the zoning change from the A – Agricultural zoning district to the R10-Residential, RM10-Residential, RM15-Residential, RM30-Residential and RT-Residential zoning districts for BREI Estates First Addition with the following condition:

1. The development of Lot 3, Block 2 and Lots 1-8, Block 4, is limited to twinhome structures only; single-family dwellings will not be allowed.

# Proposed Plat and Zoning Change (A to R10, RM10, RM15, RM30 and RT) Brei Estates First Addition

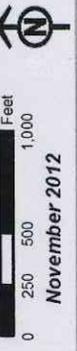
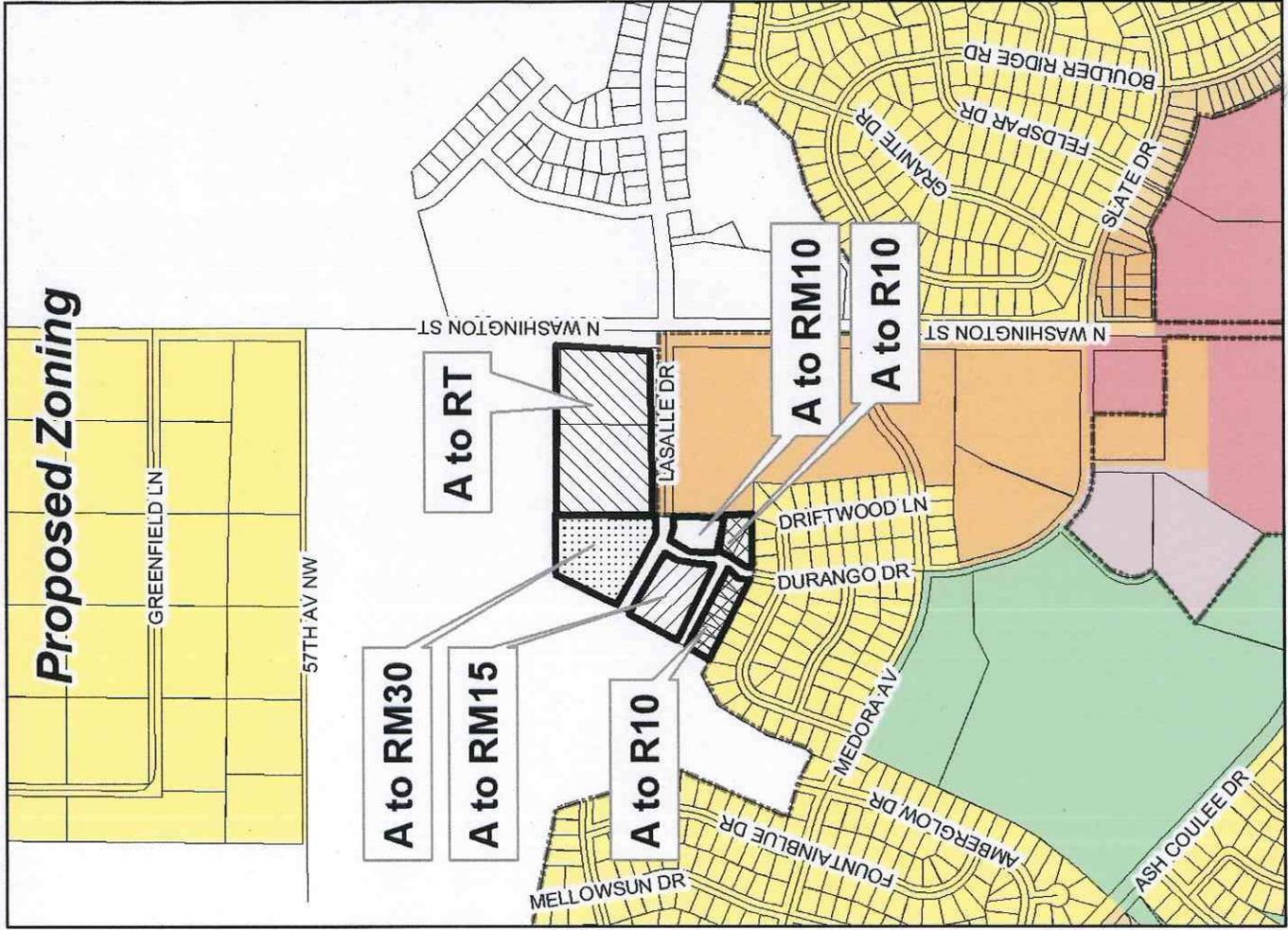
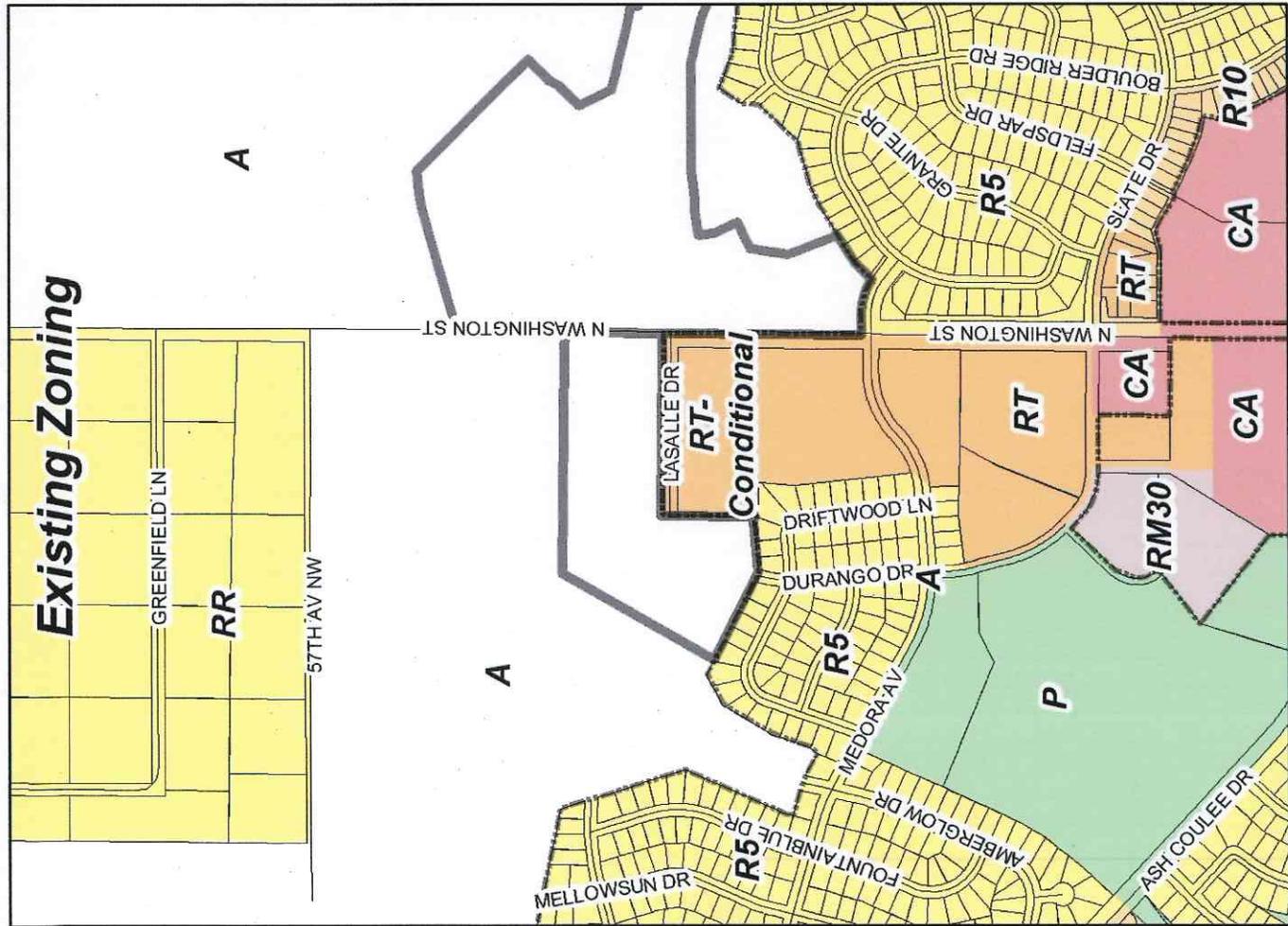


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Map was Updated/Created: November 21, 2012 (Klee)

Source: City of Bismarck



# Brei Estates First Addition - Zoning Change



This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.

**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
<b>Title:</b> BREI Estates First Addition – Final Plat		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> BREI Estates, LLLP	<b>Engineer:</b> Swenson, Hagen & Co.	
<b>Reason for Request:</b> Plat, zone and annex property for mixed density residential and office development.		
<b>Location:</b> North of 43 <sup>rd</sup> Avenue NE/Ash Coulee Drive and along the west side of North Washington Street (parts of the NE¼ of Section 17, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 23.08 acres	<b>Number of Lots:</b> 15 lots in 4 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Single, two & multi-family residential and office uses	
<b>Zoning:</b> A – Agricultural	<b>Zoning:</b> R10-Residential, RM10-Residential, RM15-Residential, RM30-Residential and RT-Residential	
<b>Uses Allowed:</b> A – Agriculture	<b>Uses Allowed:</b> R10 – Single and two-family residential RM10 – Multi-family dwellings RM15 – Multi-family dwellings RM30 – Multi-family dwellings RT – Multi-family dwellings and office uses	
<b>Maximum Density Allowed:</b> A – One unit/40 acres	<b>Maximum Density Allowed:</b> R10 – 10 units/acre RM15 – 15 units/acre RM30 – 30 units/acre RT – 30 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> N/A	<b>Platted:</b> N/A	<b>Annexed:</b> N/A
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. All technical requirements for approval of a final plat have been met.</li> <li>2. The proposed subdivision generally conforms to the Fringe Area Road Master Plan for this area, which identifies LaSalle Drive as the east-west collector for this section.</li> <li>3. The storm water management plan has been approved by the City Engineer.</li> <li>4. The proposed subdivision would be annexed prior to development; therefore, it will not place an undue burden on public services and facilities.</li> </ol>		
<i>(continued)</i>		

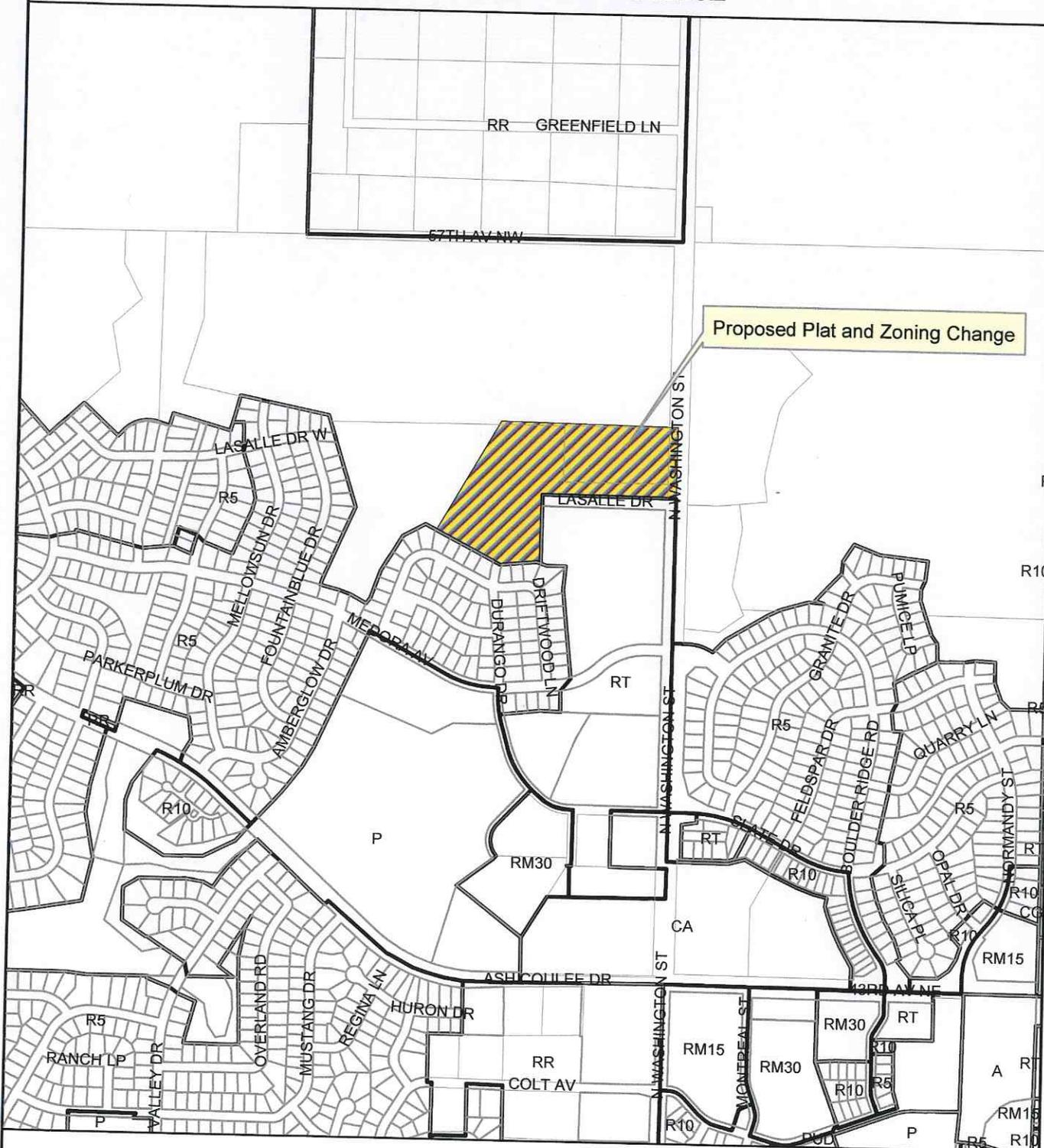
5. The proposed subdivision would be compatible with adjacent land uses, provided the R10-zoned lots are developed with twinhome structures to provide a transitional zoning buffer between the existing single-family dwellings and the proposed higher intensive land uses to the north. Adjacent land uses include a former church and single-family residential to the south and undeveloped property to the north, east and west. The former church property is zoned as a Planned Unit Development (PUD), which allows the adaptive reuse of the former church facility as multi-family development. The undeveloped property to the east has been identified as a future elementary school.
6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends approval of the final plat of BREI Estates First Addition, with the following condition:

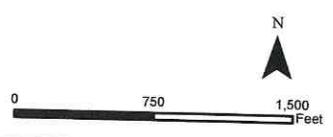
1. A note be added to the face of the plat that would restrict the development of Lot 3, Block 2 and Lots 1-8, Block 4, as twinhome development.

# Proposed Plat and Zoning Change (A to R10, RM10, RM15, RM30 and RT) Brei Estates First Addition



DISCLAIMER: This map is for representation use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.  
Map was Updated/Created: November 21, 2012 (klee)

Source: City of Bismarck



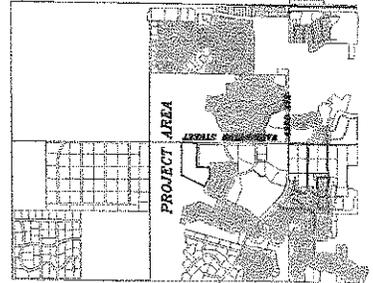
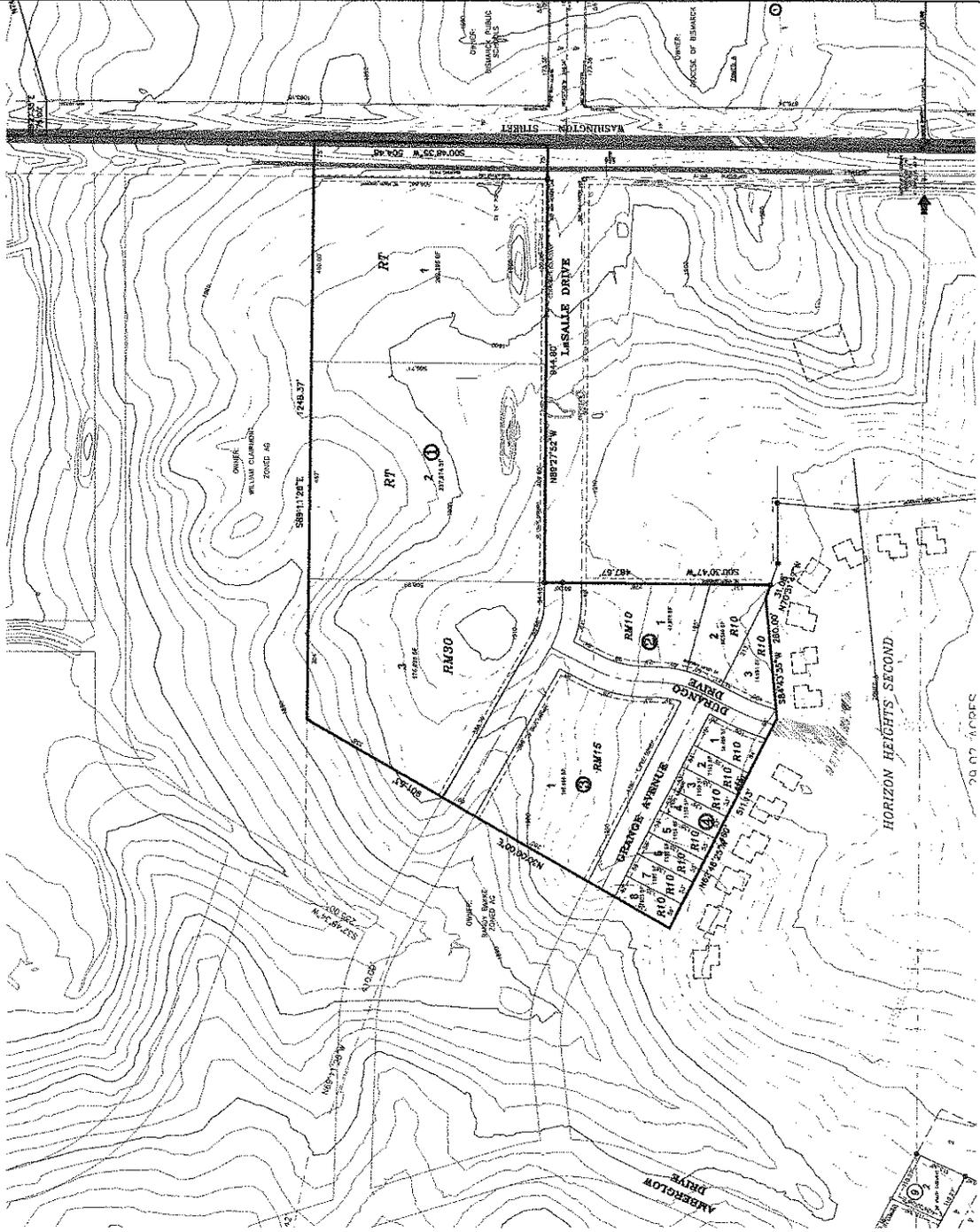


# BREI ESTATES FIRST ADDITION

Auditor's Lot E-1 and Part of the Northeast 1/4  
 Section 17, T. 139 N., R. 80 W.  
 Burleigh County  
 North Dakota

OWNER:  
**RANDY BAKKE**  
 116 N 2ND STREET  
 BISMARCK, ND 58501  
 PHONE: 258-0630

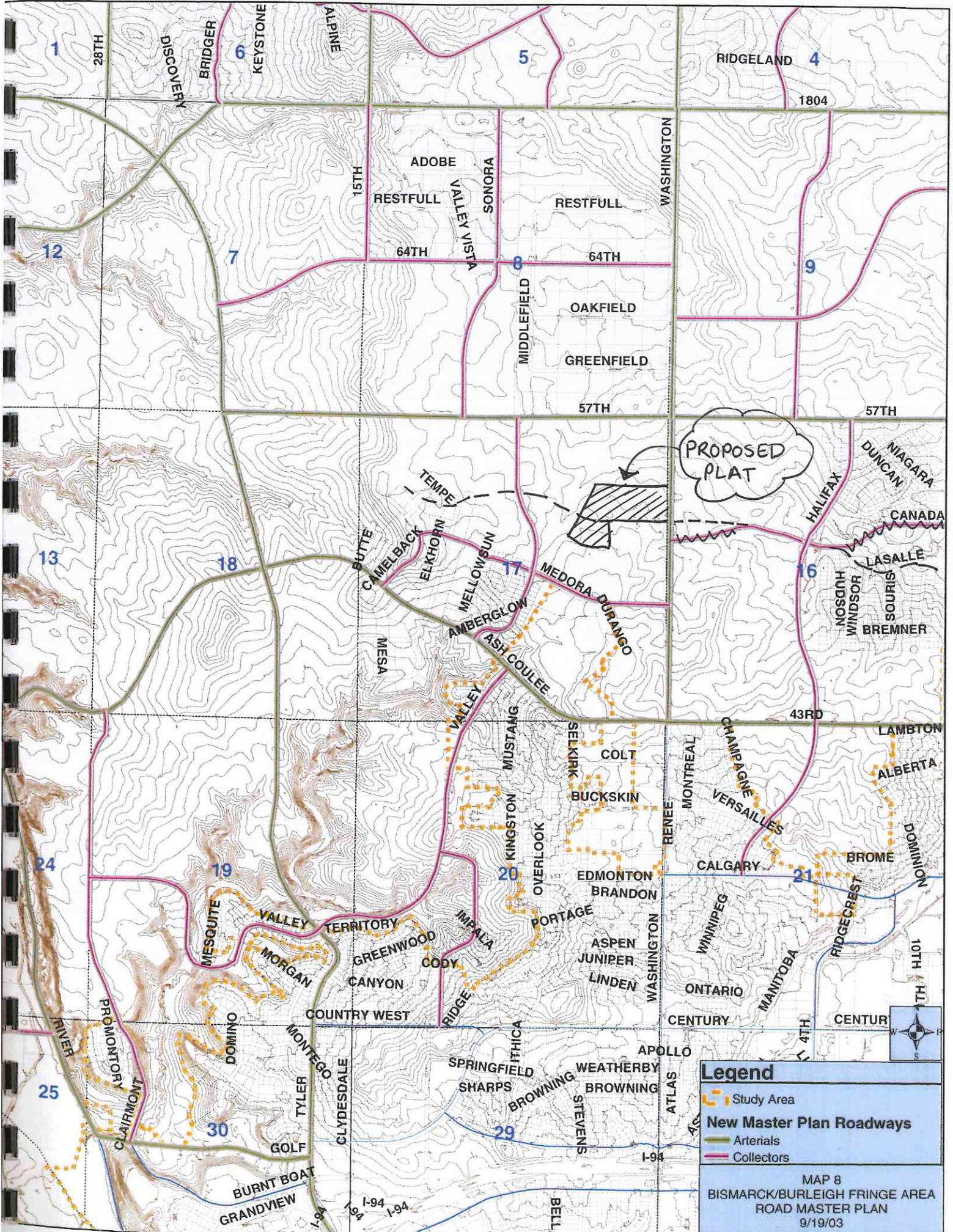
28.05 ACRES  
 15 LOTS  
 EXISTING ZONING: AC  
 PROPOSED ZONING:  
 R10/RM10/RM15/RM30/RT



LOCATION MAP







**Legend**

- Study Area
- New Master Plan Roadways**
  - Arterials
  - Collectors

MAP 8  
 BISMARCK/BURLEIGH FRINGE AREA  
 ROAD MASTER PLAN  
 9/19/03



**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

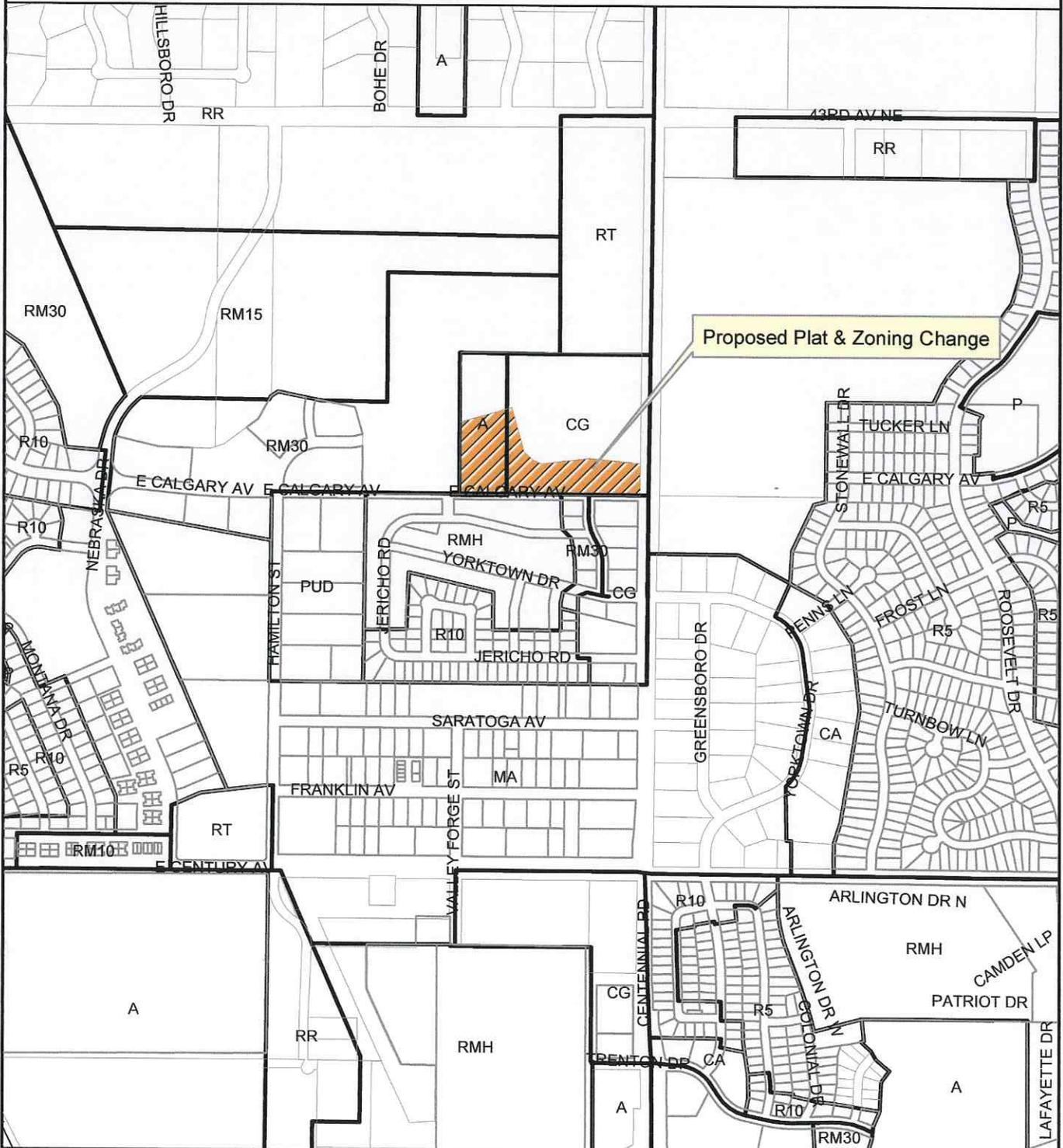
<b>BACKGROUND:</b>		
<b>Title:</b> Koch Crest Addition – Zoning Change (A& CG to RM30 & CG)		
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> January 23, 2013	
<b>Owner(s):</b> Michael P. Koch	<b>Engineer:</b> Toman Engineering	
<b>Reason for Request:</b> Plat and zone property for multi-family and commercial uses.		
<b>Location:</b> In northeast Bismarck along the west side of Centennial Road approximately ½ mile north of East Century Avenue (Auditor's Lot B of the NE ¼ of Section 23, T139N-R80W/Hay Creek Township).		
<b>Project Size:</b> 10.32 acres	<b>Number of Lots:</b> 15 lots in 2 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
<b>Land Use:</b> Undeveloped	<b>Land Use:</b> Multi-family dwellings and commercial uses	
<b>Zoning:</b> A-Agricultural CG- Commercial	<b>Zoning:</b> RM30-Residential CG-Commercial	
<b>Uses Allowed:</b> A – Agriculture CG – General commercial uses	<b>Uses Allowed:</b> RM30 – Multi-family dwellings CG – General commercial uses, multi-family dwellings and offices	
<b>Maximum Density Allowed:</b> A – One unit/40 acres CG – 42 units/acre	<b>Maximum Density Allowed:</b> RM30 – 30 units/acre CG – 42 units/acre	
<b>PROPERTY HISTORY:</b>		
<b>Zoned:</b> Pre-1980 (portion)	<b>Platted:</b> N/A	<b>Annexed:</b> 10/2012
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is outside the boundaries of the Land Use Plan.</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developing single and multi-family residential and commercially-zoned property to the south, the KOA Campground to the north and the future high school site to the west.</li> <li>3. The proposed subdivision is already annexed; therefore, it would not place an undue burden on public services and facilities.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.</li> </ol>		
<i>(continued)</i>		

6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

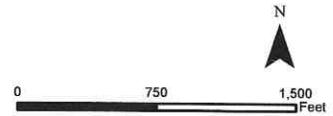
Based on the above findings, staff recommends approval of the zoning change from the A-Agriculture and CG-Commercial zoning districts to the RM30-Residential zoning district for Lots 1-4, Block 1 and Lots 1-4, Block 2 and to the CG-Commercial zoning district for Lots 5-11, Block 2, Koch Crest Addition.

# Proposed Plat and Zoning Change (A & CG to RM30 & CG) Koch Crest Addition



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Map was Updated/Created: November 21, 2012 (klee)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

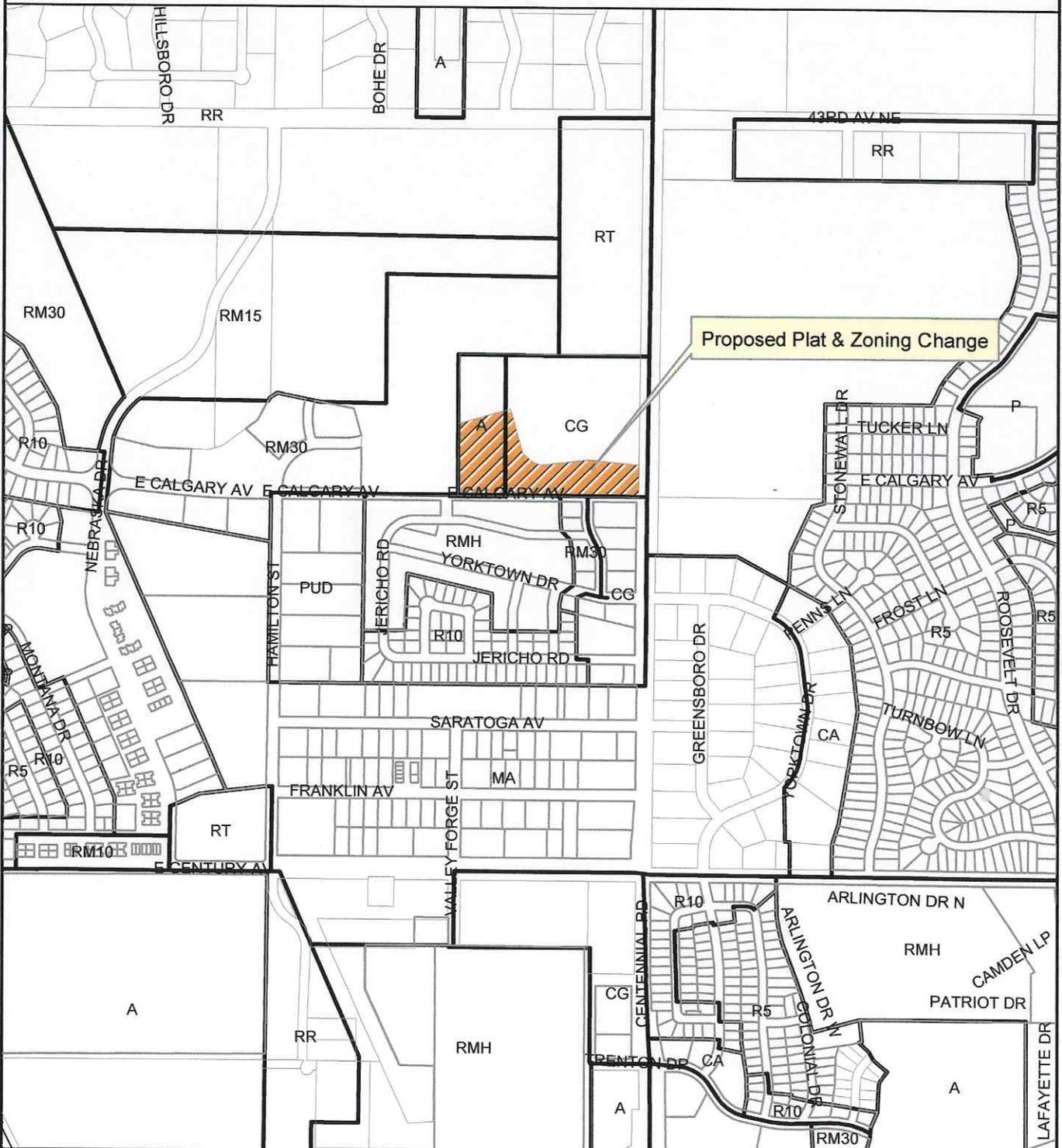
<b>BACKGROUND:</b>		
Title: Koch Crest Addition – Final Plat		
Status: Planning Commission – Public Hearing	Date: January 23, 2013	
Owner(s): Michael P. Koch	Engineer: Toman Engineering	
Reason for Request: Plat and zone property for multi-family and commercial uses.		
Location: In northeast Bismarck along the west side of Centennial Road approximately ½ mile north of East Century Avenue (Auditor's Lot B of the NE ¼ of Section 23, T139N-R80W/Hay Creek Township).		
Project Size: 10.32 acres	Number of Lots: 15 lots in 2 blocks	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
Land Use: Undeveloped	Land Use: Multi-family dwellings and commercial uses	
Zoning: A-Agricultural CG- Commercial	Zoning: RM30-Residential CG-Commercial	
Uses Allowed: A – Agriculture CG – General commercial uses	Uses Allowed: RM30 – Multi-family dwellings CG – General commercial uses, multi-family dwellings and offices	
Maximum Density Allowed: A – One unit/40 acres CG – 42 units/acre	Maximum Density Allowed: RM30 – 30 units/acre CG – 42 units/acre	
<b>PROPERTY HISTORY:</b>		
Zoned: Pre-1980 (portion)	Platted: N/A	Annexed: 10/2012
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. All technical requirements for approval of a final plat have been met.</li> <li>2. The proposed subdivision is consistent with the Fringe Area Road Master Plan for Section 23, T139N-R80W/Hay Creek Township, which identifies East Calgary Avenue as the east-west collector roadway and Centennial Road as the north-south arterial roadway for this section.</li> <li>3. The storm water management plan has been approved by the City Engineer.</li> <li>4. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include developing single and multi-family residential and commercially-zoned property to the south, the KOA Campground to the north and the future high school site to the west.</li> <li>5. The proposed subdivision is already annexed; therefore, it would not place an undue burden on public services and facilities.</li> </ol>		
<i>(continued)</i>		

6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

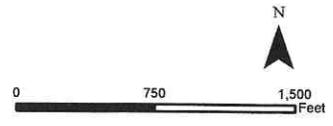
Based on the above findings, staff recommends approval of the final plat of Koch Crest Addition.

# Proposed Plat and Zoning Change (A & CG to RM30 & CG) Koch Crest Addition



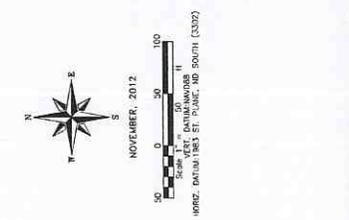
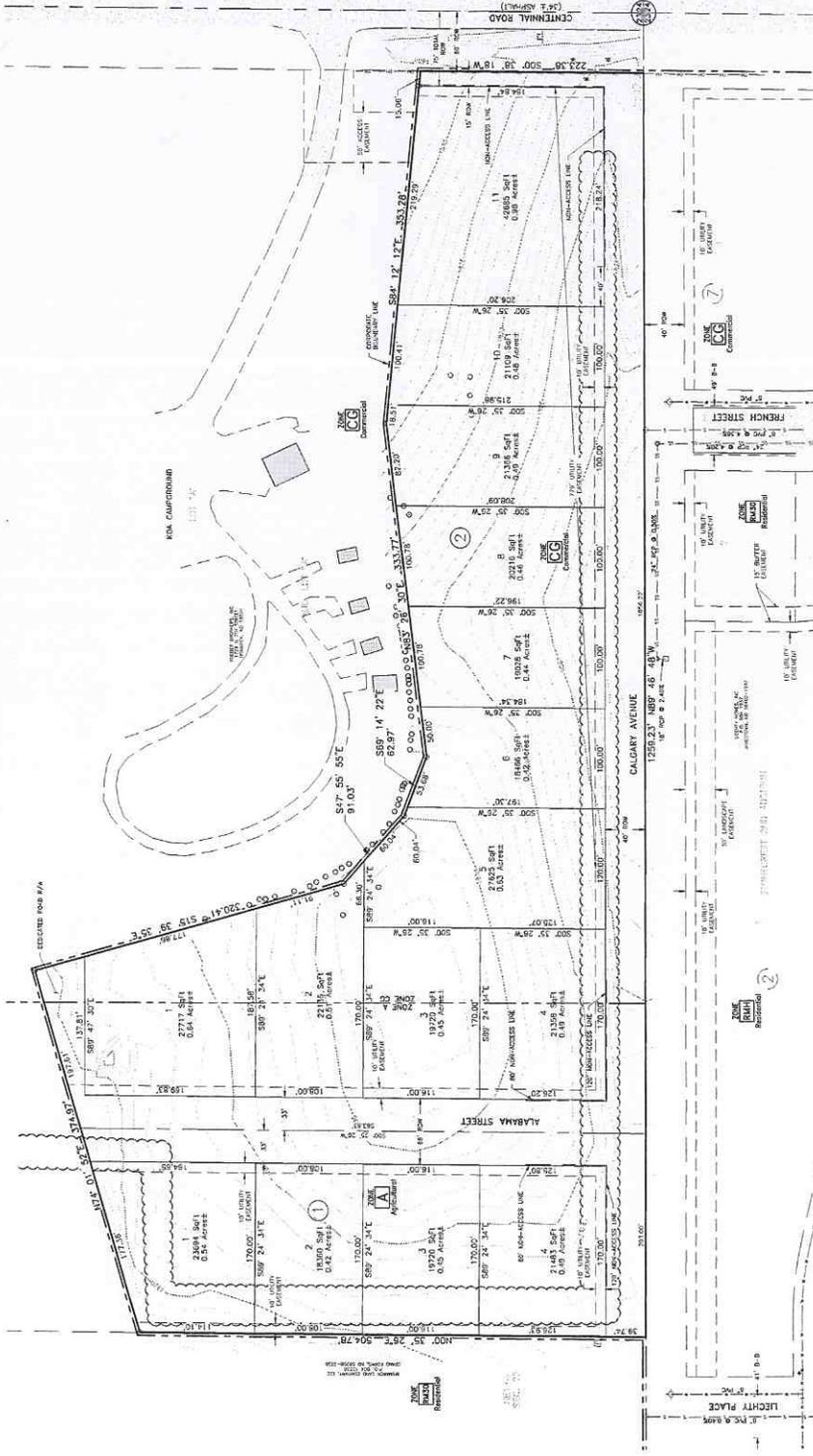
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Map was Updated/Created: November 21, 2012 (klee)

Source: City of Bismarck





PRELIMINARY PLAT OF  
**KOCH CREST ADDITION**  
 TO THE CITY OF BISMARCK  
 ALL OF LOT "B" OF THE NE1/4 OF SECTION 23, T139N-R80W,  
 BURLEIGH COUNTY, NORTH DAKOTA



- LEGEND**
- PROPERTY CORNER
  - POWER BOX
  - ⊙ POWER POLE
  - ⊙ SANITARY SEWER MANHOLE
  - ⊙ STORM SEWER MANHOLE
  - ⊙ CATCH BASIN
  - ⊙ FIRE HYDRANT
  - ⊙ SOON
  - ⊙ RECONSTRUCT TREE
  - ⊙ CONIFER
  - OVERHEAD POWER
  - EXISTING SANITARY SEWER
  - EXISTING STORM SEWER
  - EXISTING WATERMAIN
  - CURB & GUTTER
  - GRAVEL
  - EXISTING ASPHALT
  - TREE ROW

BLK	PARCEL	NET
1	2384	0.51
2	1850	0.42
3	1920	0.55
4	2143	0.48
<b>BLK 2</b>		
1	2717	0.61
2	2218	0.51
3	1920	0.55
4	2138	0.48
5	2702	0.63
6	1848	0.42
7	1908	0.46
8	2001	0.48
9	2138	0.48
10	2118	0.48
11	4965	0.88
STREETS	1770	0.88
TOTAL	42838	100.0

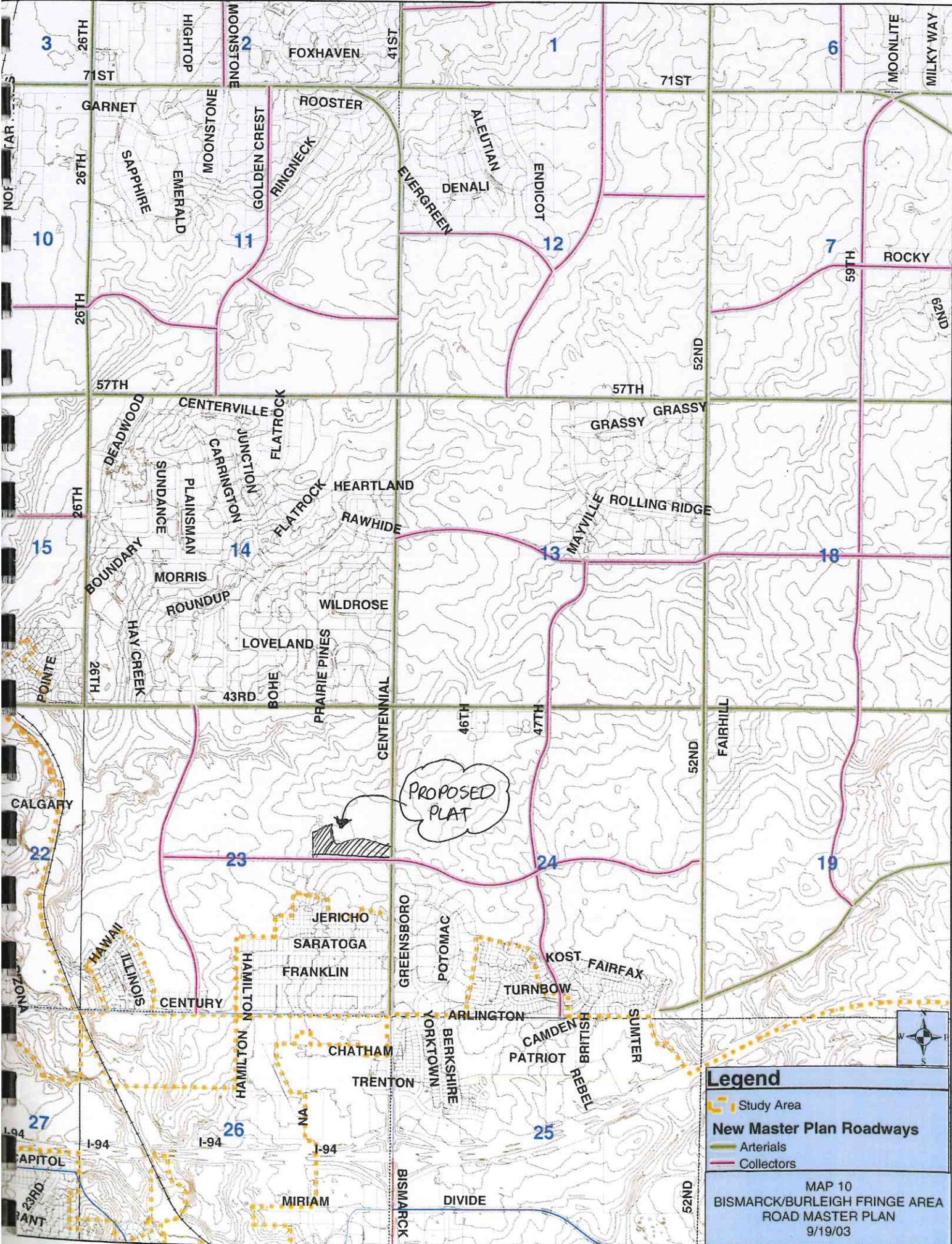
OWNER: T. KOCH, JR.  
 4008 SOUTH BAY DRIVE SE  
 MADISON, ND 58054

BASED UPON THE EXISTING SOUTH BOUNDARY LINE OF  
 ADLER'S LOT "B" NORTH BY 45' 45" WEST

NOTE: DIMENSIONS AND DISTANCES MAY VARY FROM  
 PREVIOUS RECORDS OR RECORDS DUE TO  
 DIFFERENT METHODS OF FIELD MEASUREMENT.

**TOMAN ENGINEERING**  
 601 11th Street NW, Madison, ND 58054  
 Phone: 701-683-8483 • Fax: 701-683-0023





PROPOSED PLAT

**Legend**

-  Study Area
- New Master Plan Roadways**
  -  Arterials
  -  Collectors

**MAP 10**  
**BISMARCK/BURLEIGH FRINGE AREA**  
**ROAD MASTER PLAN**  
 9/19/03

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

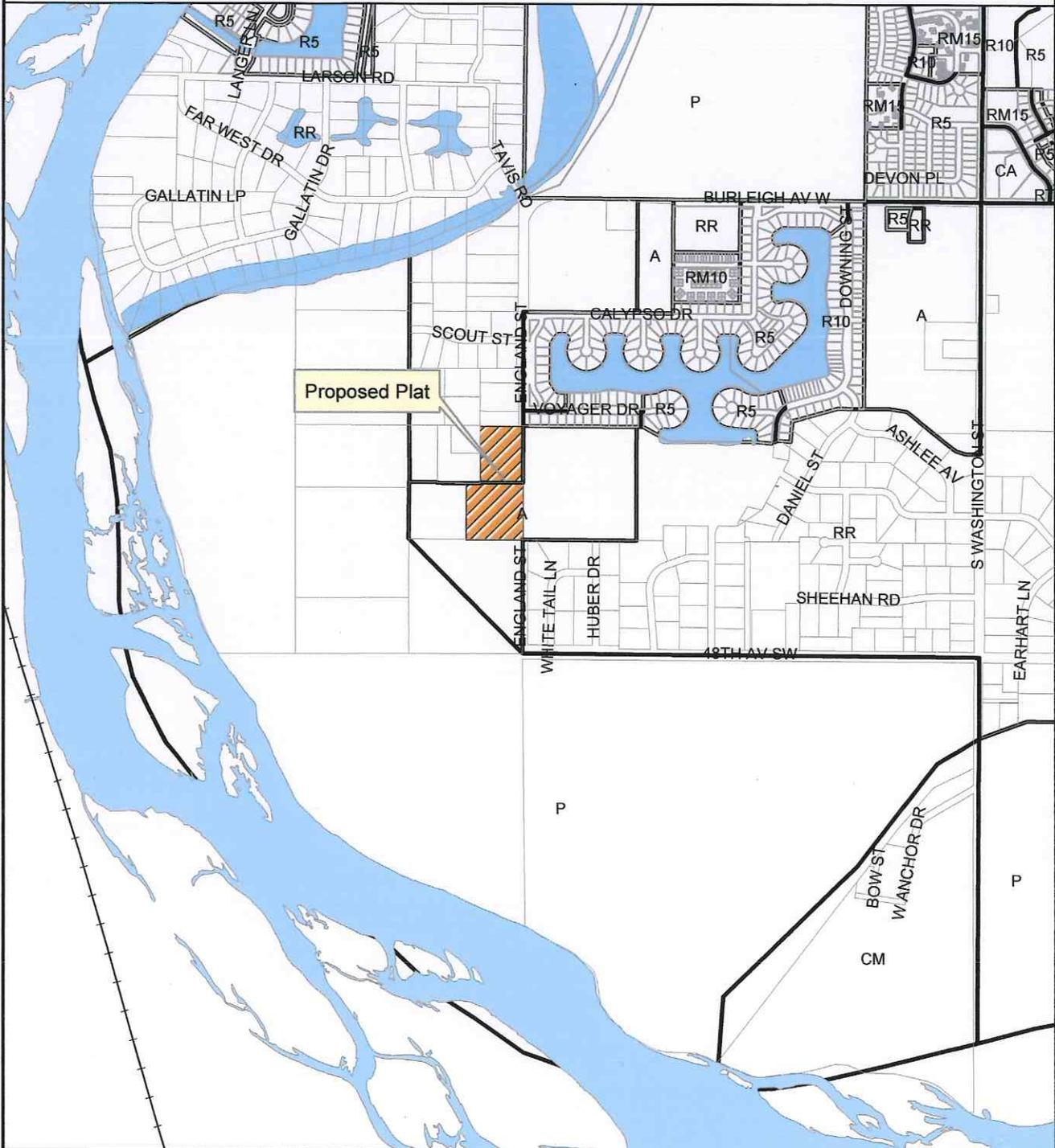
<b>BACKGROUND:</b>	
<b>Title:</b> England Acres Subdivision – Zoning Change (A & RR to RR)	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> January 23, 2013
<b>Owner(s):</b> Dennis & Tamara Miller (Lots 1-4) Rodney & Luwanna Eckroth (Lots 5&6)	<b>Engineer:</b> Swenson, Hagen & Co.
<b>Reason for Request:</b> Plat and rezone partially developed property to allow further development of a single-family rural residential subdivision.	
<b>Location:</b> Along the west side of England Street, approximately ¼ mile north of 48 <sup>th</sup> Avenue SW (All of the E ½ of the E ¾ of the N ½ of the NE ¼ of the SE ¼ of the SE ¼ Section 19, T138N/R80W/Lincoln Township)	
<b>Project Size:</b> 17.5 acres	<b>Number of Lots:</b> 6 lots in 1 block
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Agriculture and rural residential	<b>Land Use:</b> Rural residential
<b>Zoning:</b> A-Agriculture and RR-Rural residential	<b>Zoning:</b> RR-Residential
<b>Uses Allowed:</b> Large lot single-family rural residential and limited agriculture	<b>Uses Allowed:</b> Large lot single-family rural residential and limited agriculture
<b>Maximum Density Allowed:</b> A-One unit per 40 acres RR-One unit per 65,000 square feet	<b>Maximum Density Allowed:</b> One unit per 65,000 square feet
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> 1961 (portion)	<b>Platted:</b> ---
<b>ADDITIONAL INFORMATION:</b>	
1. The storm water management plan for the final plat has not yet been approved by the City Engineer. Written concurrence of the County Engineer is also required.	
<b>FINDINGS:</b>	
1. The proposed zoning change would be consistent with the Land Use Plan, which identifies the use of this area as urban residential (Bismarck-Mandan Regional Future Land Use Plan).	
2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include rural residential to the north and west, and agriculturally zoned property to the east and south.	
3. The proposed subdivision would be served by South Central Regional Water District and would have direct access to England Street; therefore, the proposed zoning change would not place an undue burden on public services.	
<i>(continued)</i>	

4. The proposed zoning change would not adversely affect property in the vicinity
5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends continuing action of the zoning change for England Subdivision from the A-Agriculture and RR-Rural Residential zoning districts to RR – Rural Residential zoning district until the storm water management plan for the final plat is approved by the City Engineer

# Proposed Plat and Zoning Change (A & RR to RR) England Acres

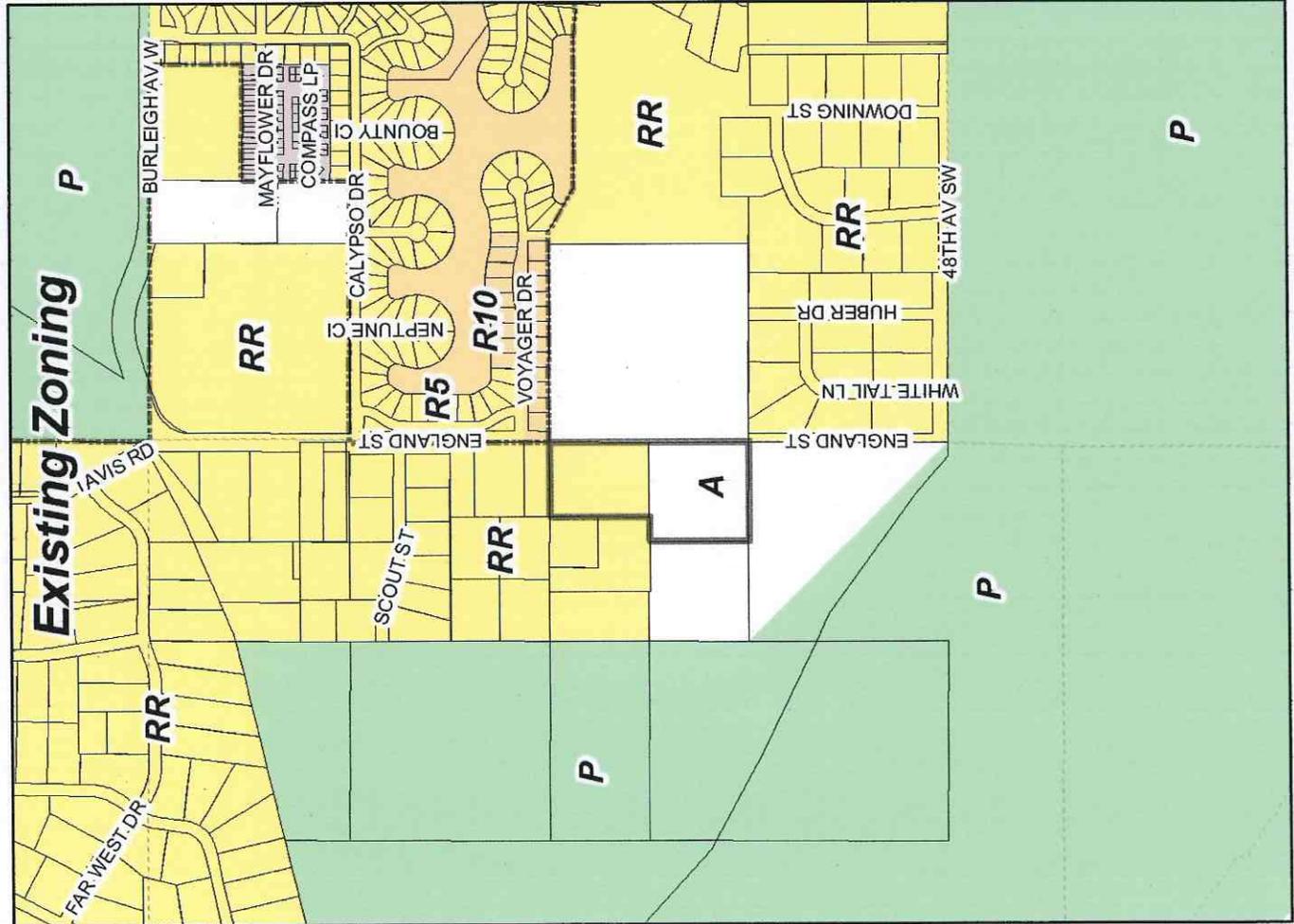
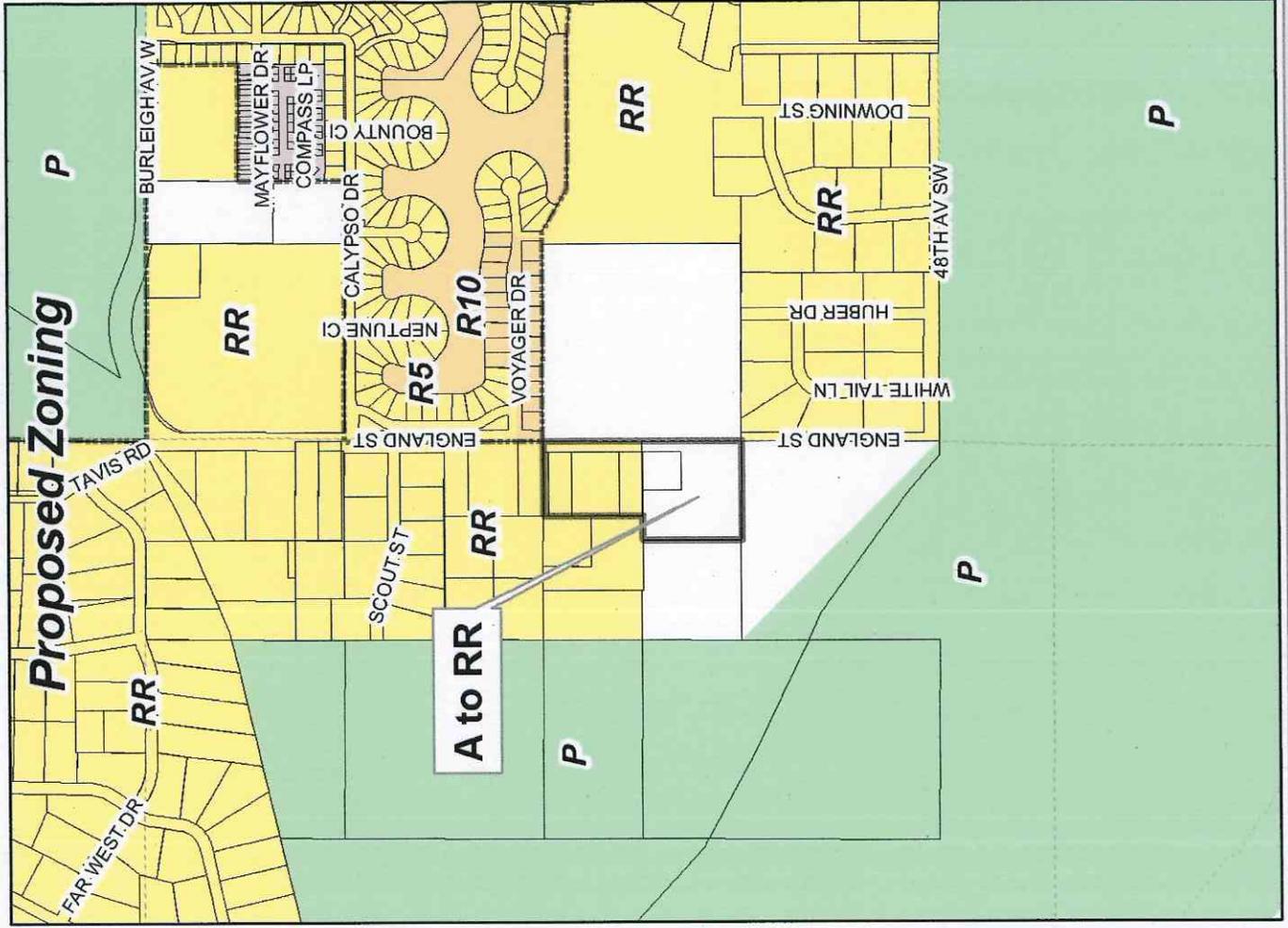


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Map was Updated/Created: September 25, 2012 (JT)

Source: City of Bismarck



# England Acres Subdivision - Zoning Change



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October 2012

**BISMARCK-BURLEIGH COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>	
<b>Title:</b> England Acres Subdivision – Final Plat	
<b>Status:</b> Planning Commission – Public Hearing	<b>Date:</b> January 23, 2013
<b>Owner(s):</b> Dennis & Tamara Miller (lots 1-4) Rodney & Luwanna Eckroth (Lots 5&6)	<b>Engineer:</b> Swenson, Hagen & Co.
<b>Reason for Request:</b> Plat and rezone partially developed property to allow further development of a single-family rural residential subdivision.	
<b>Location:</b> Along the west side of England Street, approximately ¼ mile north of 48 <sup>th</sup> Avenue SW (All of the E ½ of the E ¾ of the N ½ of the NE ¼ of the SE ¼ of the SE ¼ Section 19, T138N/R80W/Lincoln Township)	
<b>Project Size:</b> 17.5 acres	<b>Number of Lots:</b> 6 lots in 1 block
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>
<b>Land Use:</b> Agriculture and rural residential	<b>Land Use:</b> Rural residential
<b>Zoning:</b> A-Agriculture and RR-Rural residential	<b>Zoning:</b> RR-Residential
<b>Uses Allowed:</b> Large lot single family rural residential and limited agriculture	<b>Uses Allowed:</b> Large lot single-family residential and limited agriculture
<b>Maximum Density Allowed:</b> One unit per 40 acres/One unit per 65,000 square feet	<b>Maximum Density Allowed:</b> One unit per 65,000 square feet
<b>PROPERTY HISTORY:</b>	
<b>Zoned:</b> 1691 (portion)	<b>Platted:</b> ---
<b>ADDITIONAL INFORMATION:</b>	
<ol style="list-style-type: none"> <li>The proposed subdivision is located within the City's two-mile extra territorial jurisdiction; a rural water agreement with South Central Regional Water District is required.</li> <li>The proposed subdivision is partially located within the Urban Service Area Boundary. A waiver request has been submitted to eliminate the requirement of ghost platting and other USAB requirements. The waiver request seems reasonable, as the property is located within the Special Flood Hazard area (SFHA) or 100-year floodplain and sanitary service is not feasible.</li> <li>The Fridge Area Road Master Plan identifies England Street as an arterial roadway. Section 14-09-05(k) (Design Standards/Streets and alleys) specifies that a 75 foot right-of-way is required; however an accessory building was constructed in 1999 approximately 60 feet from the section line. Due to the placement of the accessory building, County Engineer Hall has indicated a willingness to reduce the width of the right-of-way from 75 feet to 33 feet in this area however; a 75 foot right-of-way dedication would be required of the adjacent property owner if England Street is to be constructed in the future.</li> </ol>	
<i>(continued)</i>	

4. Section 14-09-06 of the City Code of Ordinances (Subdivision Regulations/Improvements) requires the grading and paving of all roadways within the subdivision prior to development of the subdivision. The Burleigh County Roadway Improvement Policy, in addition to requiring the paving and grading of all roadways within the subdivision, also requires the grading and paving of adjacent section line roads. County Engineer Hall has recommended waiving the requirement of paving the section line roadway (England Street) south to the edge of the proposed subdivision. The right of way easement has been secured and England Street will be constructed in the future when the remainder of the required right-of-way is dedicated.

**FINDINGS:**

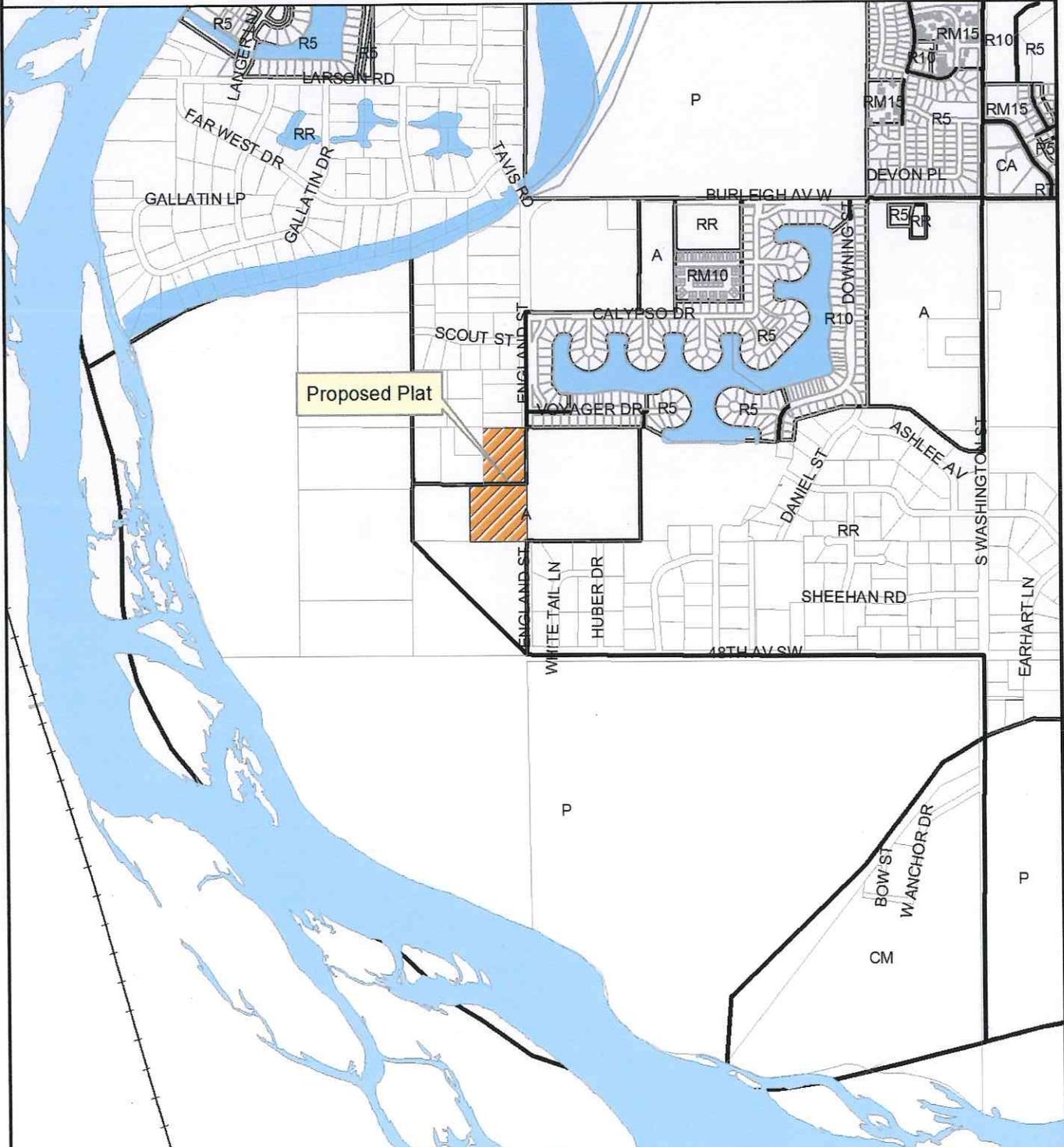
1. All technical requirements for approval of a final plat have been met.
2. The storm water management plan has not yet been approved by the City Engineer. Written concurrence of the County Engineer is also required.
3. The proposed subdivision generally conforms to the Fringe Area Road master Plan, which identifies England Street as a north south arterial.
4. The proposed subdivision would be compatible with adjacent land uses. Adjacent land uses include partially developed rural residential to the north and west, and agriculturally zoned property to the east and south.
5. The proposed subdivision would be served by South Central Regional Water District and would have direct access to England Street; therefore, the proposed subdivision would not place an undue burden on public services.
6. The proposed subdivision would not adversely affect property in the vicinity.
7. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance and subdivision regulations.
8. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.

**RECOMMENDATION:**

Based on the above findings, staff recommends continuation of the final plat for England Acres Subdivision.

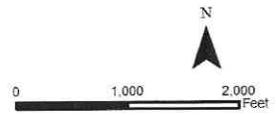
If the storm water management plan is approved by the City Engineer and written concurrence is received from the County Engineer prior to the Planning and Zoning Commission meeting, staff will change its recommendation to approval of the final plat for England Acres Subdivision.

# Proposed Plat and Zoning Change (A & RR to RR) England Acres



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Map was Updated/Created: September 25, 2012 (JT)

Source: City of Bismarck





**BISMARCK-BURLEIGH COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

<b>BACKGROUND:</b>		
Title: Lots 2-4, Block 10, Sonnet Heights Subdivision – Zoning Change (R5 to R10)		
Status: Planning Commission – Public Hearing	Date: January 23, 2013	
Owner(s): Richard A. Fischer	Engineer: Swenson, Hagen & Company	
Reason for Request: Rezone property for development of twinhomes.		
Location: In north Bismarck, north of Canada Avenue approximately 1/4 mile west of US Highway 83.		
Project Size: 31,297 square feet	Number of Lots: 3 lots in 1 block	
<b>EXISTING CONDITIONS:</b>	<b>PROPOSED CONDITIONS:</b>	
Land Use: Undeveloped	Land Use: Three twinhome units	
Zoning: R5-Residential	Zoning: R10-Residential	
Uses Allowed: Single-family residential	Uses Allowed: One- and two-family residential	
Maximum Density Allowed: 5 units/acre	Maximum Density Allowed: 10 units/acre	
<b>PROPERTY HISTORY:</b>		
Zoned: 12/1980	Platted: 12/1980	Annexed: 03/2007
<b>FINDINGS:</b>		
<ol style="list-style-type: none"> <li>1. The proposed zoning change is consistent with the Land Use Plan, which identifies the long range use of this area as urban residential (land use component of US Highway 83 Corridor Transportation Study).</li> <li>2. The proposed zoning change would be compatible with adjacent land uses. Adjacent land uses include developing single and two-family residential to the south, north, east and west.</li> <li>3. The property is already annexed; therefore, the proposed zoning change would not place an undue burden on public services.</li> <li>4. The proposed zoning change would not adversely affect property in the vicinity.</li> <li>5. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.</li> <li>6. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.</li> </ol>		
<b>RECOMMENDATION:</b>		
Based on the above findings, staff recommends approval of the zoning change from the R5-Residential zoning district to the R10-Residential zoning district for Lots 2-4, Block 10, Sonnet Heights Subdivision.		

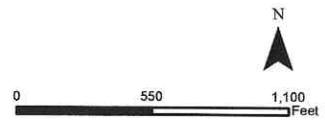
# Proposed Zoning Change (R5 to R10)

## Lots 2, 3 & 4, Block 10, Sonnet Heights Subdivision

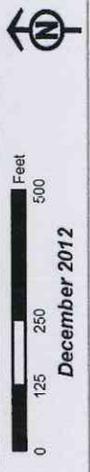
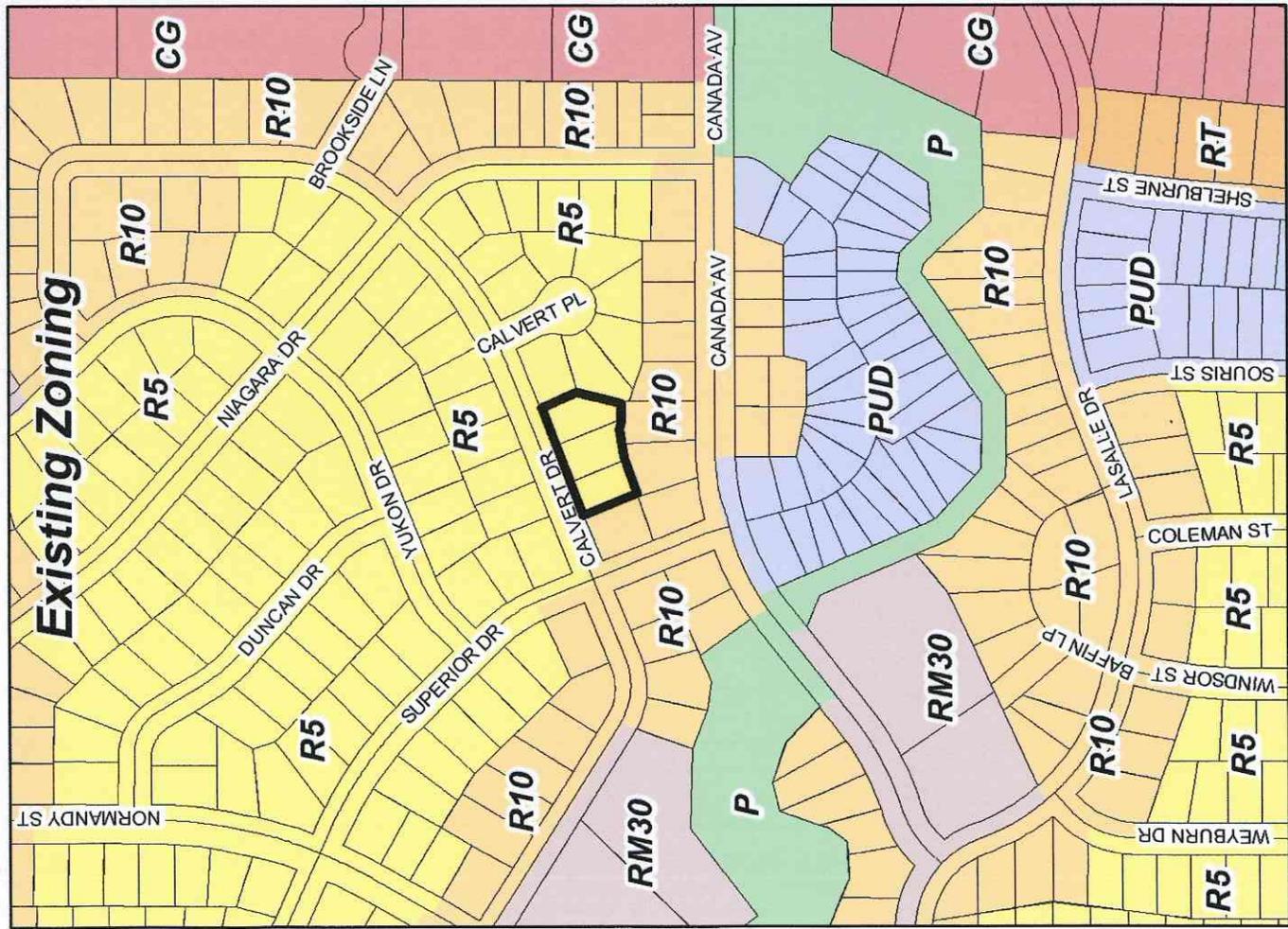
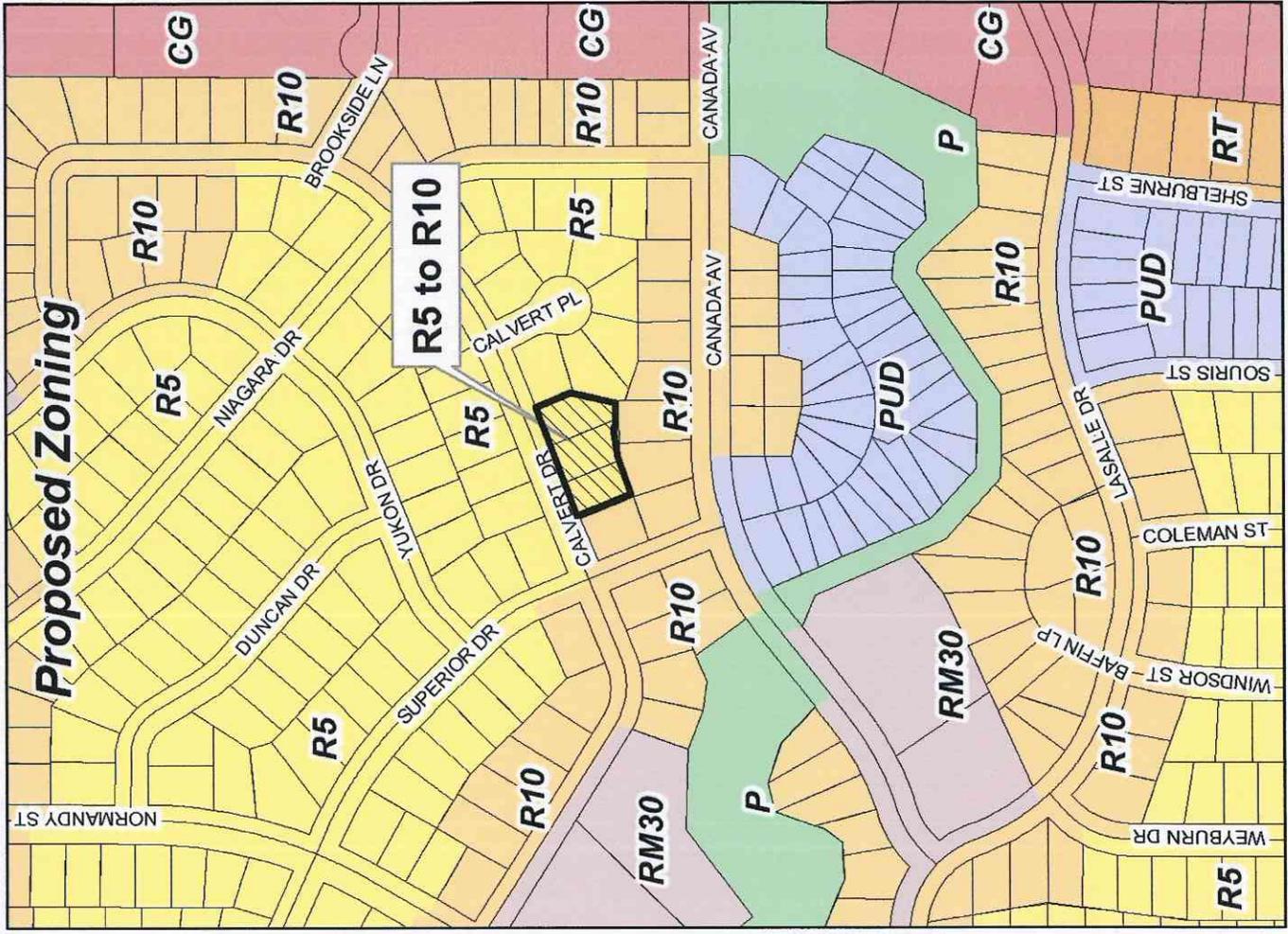


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 Map was Updated/Created: November 21, 2012 (Klee)

Source: City of Bismarck



# Lots 2-4, Block 10, Sonnet Heights Subdivision



December 2012

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